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BISHOP BURNET'S

HISTORY OF HIS OWN TIME.

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HISTORY OF HIS OWN TIME:

FROM

THE RESTORATION OF CHARLES II. TO THE TREATY OF PEACE AT UTRECHT, IN THE REIGN OF QUEEN ANNE.

A New Edition,

WITH HISTORICAL AND BIOGRAPHICAL NOTES,

AND

FIFTY-ONE PORTRAITS.

Portraits missing

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In publishing the present edition of this Standard History, an attempt has been made to effect a combination of elegant typography, with the greatest possible degree of cheapness; and it is presumed that a reference to the appearance and price of the volume, will sufficiently prove the practicability of the experiment.

Another motive to publish this Work in its present form, existed in a desire to circulate as widely as possible the best history of that period of our existence as a nation, which is by far the most interesting to every lover of freedom.

With the view of rendering the Work more acceptable, numerous biographical notices, as well as remarks on the most important historical events, have been introduced; and, as a whole, the present, it is hoped, will be found the most correct and useful edition of this celebrated History that has appeared.

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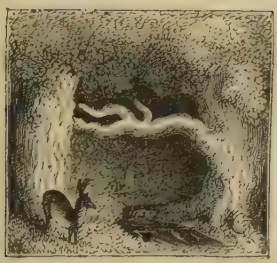
INTRODUCTION.



APPILY for his own mental tranquillity, but unfortunately for his contemporary fame, Dr. Gilbert Burnet * was a firm advocate for universal toleration. Living at a period when political partisanship and religious bigotry were stimulated to frantic excesses, it ceases to be a cause of astonishment that he was never entirely trusted, or unreservedly praised, by either of the extreme parties who then convulsed the nation—each was then struggling to obtain supreme dominion over the other, in the civil and religious institutions of our constitution. Dr. Burnet was a bishop, and he stood unflinchingly by the episcopal church: so far he was approved by the high church or Tory party; but he found fault with the conduct of the bishops, who were forced upon, and who rode rough-shod over the Scottish people; at the same time he deprecated the persecution of men whose only offence was that they preferred a presbyterian form of church government. This was enough to convince those, who lay it down as a principle that an opponent must be wrong in the superlative, that Burnet was a presbyterian at heart, though an episcopalian from interest: they, therefore, never trusted, much less did they advance him. He supported their measures when he approved of them, and was drily thanked: he reproved them, not even sparing the monarch for his sins, and in return was hated.

As the advocate of toleration for all political and religious creeds, he was admired and courted by those who suffered by the laws and government, which were actuated by a contrary spirit; yet he did not go far or fast enough to satisfy them: he would not have them punished, or even deprived of their civil rights, merely because they differed with him in certain opinions; but as he did not prefer a presbyterial to an episcopal church—as he always held it as a fixed principle, that resistance to an established government is not lawful

* Dr. Burnet's father was the younger brother of a family distinguished for its antiquity, and considerable for its influence, in the shire of Aberdeen. He was educated for the profession of a civilian; and although his excessive modesty prevented him appearing to advantage at the bar, yet he was generally esteemed a proficient in the knowledge of the civil law. He was eminent for probity and generosity in his practice: from the poor he never took a fee, nor from a clergyman when he sued in the cause of his church. In the year 1637, when the troubles in Scotland were breaking out, he censured so warmly the conduct of its bishops, and was so remarkable for his exemplary life, that he was generally called a puritan. But when he saw that, instead of reforming the abuses of the bishops, episcopacy itself was struck at, he declared himself its supporter with zeal and constancy. He as firmly maintained the rights of the crown against the attacks of the party which afterwards prevailed in both nations; for, although he agreed with Barclay and Grotius that resistance is lawful when the laws are broken through by a limited monarch, yet he did not think that was then the case in Scotland.

Dr. Burnet's mother was very eminent for her piety and virtue. She was a sister of the celebrated sir Archibald Johnston, called lord Warriston, who, during the civil war, headed the presbyterian party. Of their religious discipline she was a zealous admirer; but neither her influence, nor the exercised power of her brother, could ever induce her husband to swerve in his adhesion to the cause of monarchy and the episcopal church. Exile, and the offers of preferment made to him by Oliver Cromwell, were alike unavailing; so that, when permitted to return to Scotland, he lived retired upon his own estate, until the Restoration. He was then made one of the lords of session.

Under his parents, the early education of our author was pursued, and the fruits of their instruction and example are apparent throughout his career.—*Life by the Author's Son.*

on account of its single acts of injustice, unless it strikes at the very basis of the constitution *: the enemies of the monarchy and of the established church always esteemed him to be as much their enemy as their friend †. The marquis of Halifax, whose mental acumen was better qualified to judge of other men's characters than to regulate his own, thus wrote his estimate of our author:—

"Dr. Burnet ‡, like all men who are above the ordinary level, is seldom spoke of in a mean, he must either be railed at or admired; he has a swiftness of imagination, that no other man comes up to; and as our nature hardly allows us to have enough of any thing without having too much, he cannot at all times so hold in his thoughts but that at some time they may run away with him; as it is hard for a vessel, that is brim-full, when in motion, not to run over; and therefore the variety of matter, that he ever carries about him, may throw out more than an unkind critic would allow of. His first thoughts may sometimes require more digestion, not from a defect in his judgment, but from the abundance of his fancy, which furnishes too fast for him. His friends love him too well to see small faults; or, if they do, think that his greater talents give him a privilege of straying from the strict rules of caution, and exempt him from the ordinary rules of censure. He produces so fast, that what is well in his writings calls for admiration, and what is incorrect deserves an excuse; he may in some things require grains of allowance, which those only can deny him who are unknown, or unjust to him. He is not quicker in discerning other men's faults, than he is in forgiving them: so ready, or rather glad, to acknowledge his own, that from blemishes they become ornaments. All the repeated provocations of his indecent adversaries have had no other effect than the setting his good-nature in so much a better light, since his anger never yet went farther than to pity them. That heat, which in most other men raises sharpness and satire, in him glows into warmth for his friends, and compassion for those in want and misery. As dull men have quick eyes in discerning the smaller faults of those that nature has made superior to them, they do not miss one blot he makes, and being beholden only to their barrenness for their discretion, they fall upon the errors which arise out of his abundance; and by a mistake into which their malice betrays them, they think that by finding a mote in his eye, they hide the beams that are in their own. His quickness makes writing so easy a thing to him, that his spirits are neither wasted nor soured by it. The soil is not forced, every thing grows and brings forth without pangs; which distinguishes as much what he does from that which smells of the lamp, as a good palate will discern between fruit which comes from a rich mould, and that which tastes of the uncleanly pains that have been bestowed upon it. He makes many enemies, by setting an ill-natured example of living, which they are not inclined to follow. His indifference for preferment, his contempt not only of splendour, but of all unnecessary plenty, his degrading himself into the lowest and most painful duties of his calling, are such unprelatical qualities, that let him be never so orthodox in other things, in these he must be a dissenter. Virtues of such a stamp are so many heresies, in the opinion of those divines, who have softened the primitive injunctions, so as to make them suit better with the present frailty of mankind. No wonder, then, if they are angry, since it is in their own defence, or that from a principle of self-preservation

* "The presbyterian zealots," says his son, "hated him, as apprehending that his schemes of moderation would, in the end, prove the sure way of establishing episcopacy amongst them. The episcopal party, on the other hand, could not endure a man who was for exempting the dissenters from their persecutions."

† Life by his son.

‡ The copy from which this is printed was taken from one given to the bishop, in the marquis of Halifax's own hand-writing, which was in the possession of the author's son, the year that George the First began to reign.

they should endeavour to suppress a man, whose parts are a shame, and whose life is a scandal to them."

Such was the estimate formed of Dr. Burnet by one of the most talented of his contemporaries; we shall be better able to judge of its justice when we have traced a few of the leading events of his life; and as these will be found to be every way worthy of him as a teacher of Christianity, the reader of his work will thence be predisposed to believe, that he who acted and suffered for that which he considered just, would not knowingly write that which is false.

The life of Dr. Burnet extended from 1643 to 1715, a series of years during which occurred the most memorable events in our national history. In those seventy-two years, Charles the First died upon the scaffold; our government passed through every grade of change from the most open republicanism to the most uncontrolled despotism—there was the despotism of the army and the despotism of Cromwell. It was the era of the war-struggle for supremacy between protestant episcopacy, protestant dissent, and popery, in which James the Second was ejected from the throne, and a new dynasty was admitted. All which events were the consequences of the great principle that came then for ever to be decided—whether the will and the interests of the people, or of the king, are to be most consulted in the conduct of our national affairs.

The first important question, and it was one dangerous and delicate, upon which our author had to declare his opinion, was concerning his own competency to fulfil the duties of the clerical office. There is no law of Scotland limiting the age at which a minister may take upon himself the cure of souls; consequently, having passed all his examinations and his probation, when he was offered by his kinsman, sir Alexander Burnet, an excellent benefice in the centre of his family connections, he had no restraint upon his decision but such as was dictated by his own heart. Burnet was only eighteen, but he was victor over the temptation; for, feeling that this was an age at which he could not conscientiously accept so responsible an appointment, he declined the living, though his father was the only one of his relations who did not importune him to accept it.

It was well for him, in many respects, besides the satisfaction of his conscience, that he thus decided; for it left him leisure to visit the English universities, and to travel in continental Europe. Whilst at the former, and when in London, he acquired the friendship of Dr. Cudworth, Dr. Pearson, Dr. Fell, Dr. Pocock, Dr. Wallis, Dr. Tillotson, Dr. Stillingfleet, Dr. Patrick, Dr. Lloyd, Dr. Whitchcot, Dr. Wilkins, sir Robert Murray, and Mr. Boyle; names deservedly great in the history of our national worthies. From such men as these he gained knowledge, and in their example obtained confidence to maintain the cause of truth in all things. His acquaintance, whilst in Holland, with the chief members of the Arminians, Lutherans, Unitarians, Brownists, Anabaptists, and Papists, whose forms of worship and belief are all tolerated in that country, enlarged his mind, and saved him from being the slave of sectarian bigotry. Amongst all those families of the Christian tribe, "he found men of such real piety and virtue, that there he became fixed in that strong principle of universal charity, of thinking well of those who differed from him, and of invincible abhorrence of all persecutions on account of religious dissensions; which have often drawn upon him the bitterest censures from those who, perhaps by a narrower education, were led into a narrower way of thinking." Dr. Henry More, who bore the highest title of dignity, being called "the Intellectual Epicure," was one of his acquaintances, and, like him, paid more attention to the contents of a book than to its binding—estimated the value of a man's mind, not that

of his coat—believed in Christianity, not in its priestcraft. One of Dr. More's observations upon church ceremonies and rites made great impression upon Burnet. "None of these," said the doctor, "are bad enough to make men bad; and I am sure none of them are good enough to make men good."

Upon his return to his native country, Scotland, he was appointed to the living of Saltoun, but he declined accepting it until, after a four months' probation, he was unanimously requested to do so by his parishioners. He was then, in the year 1665, ordained priest by the bishop of Edinburgh. "During the five years he remained at Saltoun, he preached twice every Sunday, and once more during the week; he catechised three times during the same period, so as to examine every parishioner, old and young, thrice in the compass of a year: he went round his parish from house to house, instructing, reproving, or comforting the inhabitants as occasion required; those who were sick he visited twice a day; he administered the sacrament four times in the year, personally instructing all that gave notice they intended to receive it: all that remained above his own necessary subsistence, in which he was very frugal, he distributed in charity. A particular instance of his liberality was related by a person who then lived with him, and who afterwards was with him at Salisbury. One of his parishioners was distrained upon for debt, and came to our author for some small assistance, who inquired how much would again set him up in his trade. The debtor named the sum, which a servant was immediately ordered to pay him:—'Sir,' said the domestic, 'it is all we have in the house.'—'Well, well,' replied Burnet, 'pay it to this poor man; you do not know the pleasure there is in making a man glad.' Thus, as he knew the concerns of his whole parish, treated them with tenderness and care, and set them a fair example of every article of that duty which he taught them, he soon gained their affections, not excepting the presbyterians; although he was then the only man in Scotland that made use of the prayers in the English church liturgy *."

In 1669, the University of Glasgow elected him to be the Professor of Divinity, and the admirable Dr. Leighton succeeded in persuading him to quit his parish and accept the chair.

His son thus relates our author's exertions to fulfil the duties that now devolved upon him. "As his principal care, in this new station, was to form just and true notions in the students of divinity, he laid down a plan for that purpose, to which no other objection could be offered but that it seemed to require the labour of four or five, instead of one man; yet he never failed executing every part of it, during his residence at Glasgow. On Mondays he made each of the students, in his turn, explain a head of divinity in Latin, and propound such theses from it as he was to defend against the rest of the scholars; and this exercise concluded with our author's decision of the point in a Latin oration. On Tuesdays he gave them a prelection in the same language, wherein he purposed, in the course of eight years, to have gone through a complete system of divinity. On Wednesdays, he read them a lecture, for above an hour, by way of a critical commentary on St. Matthew's Gospel, which he finished before he quitted the chair. On Thursdays the exercise was alternate: one Thursday he expounded a Hebrew psalm, comparing it with the Septuagint, the vulgar and the English version; and the next Thursday he explained some portion of the ritual and constitution of the primitive church, making the apostolical canons his text, and reducing every article of practice under the head of one or other of those canons. On Fridays he made each of his scholars, in course, preach a short sermon upon some text he assigned; and when

* Life of Dr. Burnet, by his son.

it was ended, he observed upon any thing that was defective or amiss, showing how the text ought to have been opened and applied. This was the labour of the mornings; in the evenings, after prayer, he every day read them some parcel of scripture, on which he made a short discourse, and when that was over, he examined into the progress of their several studies, encouraging them to propose their difficulties to him upon the subjects they were then reading. This he performed during the whole time the schools were open, thereby answering the duty of a professor, with the assiduity of a schoolmaster; and in order to acquit himself with credit, he was obliged to study hard from four till ten in the morning; the rest of the day being, of necessity, allotted either to the use of his pupils, or to hearing the complaints of the clergy, who, finding he had an interest with the men in power, were not sparing in their applications to him."

Our author was thrice married. His first wife was Lady Mary Kennedy, a daughter of the earl of Cassilis; the second a Dutch lady, of the name of Scott; and the third, Mrs. Berkley,—all women eminent for their piety; the third being author of "A Method of Devotion," edited after her death by Dr. Goodwyn, archbishop of Cashel. Of Dr. Burnet's conduct in the relationships of a husband, a father, a friend, and a master, we have his son's testimony:—"He was a most affectionate husband. His tender care of his first wife, during a course of sickness that lasted for many years, and his fond love to the other two, and the deep concern he expressed for their loss, were no more than their just due, from one of his humanity, gratitude, and discernment.

"His love to his children, perhaps accompanied with too much indulgence, was not exerted in laying up for them a hoard of wealth out of the revenues of the church, but in giving them a noble education, though the charge of it was wholly maintained out of his private fortune. At seven years old he entered his sons into Latin, giving each of them a distinct tutor, who had a salary of forty pounds a-year, which was never lessened on account of any prebend the bishop gave him. After five or six years had perfected his sons in the learned languages, he sent them to the University; the eldest, a gentleman commoner, to Trinity College, in Cambridge; the other two, commoners, to Merton College, in Oxford, where, besides the college tutor, they had a private one, to assist them in their learning, and to overlook their behaviour. In the year 1706, he sent them abroad for two years to finish their studies at Leyden, whence two of them took a tour through Germany, Switzerland, and Italy. The eldest and youngest, by their own choice, were bred to the law, and the second to divinity.

"In his friendships our author was warm, open-hearted, and constant: from those I have taken the liberty to mention, the reader will perceive that they were formed upon the most prudent choice, and I cannot find an instance of any one friend he ever lost, but by death. It is a common, perhaps a just observation, that a hearty friend is apt to be as hearty an enemy; yet this rule did not hold in our author: for though his station, his principles, but, above all, his steadfast adherence to the Hanover succession, raised him many enemies, yet he no sooner had it in his power to have taken severe revenges on them, than he endeavoured, by the kindest good offices, to repay all their injuries, and overcome them, by returning good for evil.

"The bishop was a kind and bountiful master to his servants, whom he never changed but with regret, and through necessity. Friendly and obliging to all in employment under him, and peculiarly happy in the choice of them, especially in that of the steward to the bishopric and his courts, William Wastefield, Esq., (a gentleman of a plentiful fortune at the time of

his accepting this post,) and in that of his domestic steward, Mr. Mackney. These were both men of approved worth and integrity, firmly attached to his interests, and were treated by him, as they well deserved, with friendship and confidence."

Four times did our author refuse a bishopric. At length, when king William was established on the throne, the see of Salisbury became vacant, which Dr. Burnet solicited for his old friend, Dr. Lloyd, then bishop of St. Asaph. The king coldly answered, "I have another person in view:" and the next day Burnet found that he himself was nominated to the vacant see.

His son has dwelt at some length upon his conduct as a diocesan. "His primary visitation could only be regulated by the practice of his predecessors, who contented themselves with formal triennial visitations of their diocese, in which they used always to confirm; but when he perceived the hurry, the disorder and noise that attended these public meetings, he thought them wholly unfit for solemn acts of devotion; they seemed much more proper for the exercise of an ordinary's jurisdiction, according to law, than for the performance of the more Christian functions of a bishop. These were inconsistent with that pomp and show which, perhaps, the other required. He had always looked upon confirmation as the likeliest means of reviving a spirit of Christianity; if men could be brought to consider it, not as a mere ceremony, but as an act whereby a man became a Christian from his own choice; since upon attaining to the use of reason, he thereby renewed for himself a vow, which others had only made for him at baptism. He wrote a short directory, containing proper rules how to prepare the youth upon such occasions; this he printed, and sent copies of it, some months beforehand, to the minister of every parish where he intended to confirm. He every summer took a tour, for six weeks or two months, through some district of his bishopric, daily preaching and confirming from church to church, so as in the compass of three years (besides his former triennial visitation) to go through all the principal livings in his diocese. The clergy, near the places he passed through, generally attended on him; therefore, to avoid being burthensome in these circuits, he entertained them all at his own charge. He, likewise, for many years, entered into conferences with them upon the chief heads of divinity: one of which he usually opened at their meeting, in a discourse that lasted near two hours; and then encouraged those present to start such questions or difficulties upon it as occurred to them. Four of these discourses, against infidelity, socinianism, popery and schism, were printed in the year 1694. When our author had published his 'Exposition of the Thirty-nine Articles,' conferences of this nature seemed in some measure needless: he therefore discontinued them, in order to apply himself wholly to the work of confirmation. To be more useful in it, he disposed his annual progress, during the last ten years of his life, in the following manner:—He went through five or six of the considerable market towns every year; he fixed himself for a whole week in each of them; and though he went out every morning to preach and confirm in some parish, within seven or eight miles of the place, yet at the evening prayer, for six days together, he catechised the youth of the town, in the principal church there, expounding to them some portion of the church catechism every day, until he had gone through the whole: and, on Sunday, he confirmed those who had been thus examined and instructed, and then, inviting them all to dine with him, he gave to each a useful present of books. As the country flocked in from all parts to hear him, he was in hopes this would encourage the clergy to catechise more, and would raise an emulation in Christian knowledge among the inferior sort of people, who were ignorant to a scandal.

" In the intervals of parliament, when the bishop was not upon this progress, his usual residence was at Salisbury; there he preached the Thursday's lecture, founded at St.Thomas's church, during the whole time of his stay; he likewise preached and confirmed every Sunday morning *, in some church of that city, or of the neighbourhood round about it: and in the evening he had a lecture in his own chapel, to which great crowds resorted, wherein he explained some portion of scripture, out of the gospels and epistles in the liturgy. He generally came down from London, some days before Lent, on purpose to prepare the youth of the two great schools for confirmation, by catechising them every week, during that season, in the cathedral church, and instructing them in the same manner as he did those in the other towns of his diocese. And to render this task of instruction more easy to the rest of his clergy, he at length published 'An Explanation of the Church Catechism, in the Year 1710.'

" The bishop's consistorial court being much cried out against, as a grievance both to the clergy and laity, he endeavoured to reform it, and for some years went thither in person; but though he might do some little good by this attendance, it was so little, that he at last gave it over; for the true foundation of complaints was, the dilatory course of proceedings, and the exorbitant fees, which the bishop had no authority to correct: nay, he could not even discharge poor suitors who were oppressed there with vexatious prosecutions, any otherwise than by paying their fees himself, as he frequently did.

" No part of the episcopal office was more strictly attended to by him than the examination of those who came for orders; in this matter the law has left the bishop entirely at liberty to admit or refuse. He never turned them over to the care of a chaplain or archdeacon, farther than to try their skill in the learned languages. He examined them himself as to the proofs of the Christian religion, the authority of the scriptures, and the nature of the gospel covenant. If they were deficient in those, he dismissed them at once, with proper directions how to be better prepared for a second trial: but if they were competently knowing in these essential points, he went through the other heads of divinity with less strictness. When he was once satisfied with their capacity, he next directed his discourse to their conscience: he laid before them the baseness of taking up a sacred profession, merely for the lucre, or subsistence, it might afford: he gave them a distinct view of all the branches of the pastoral care (of which he published a Treatise, for the use of his diocese, in 1692); and endeavoured strongly to dissuade them from entering into holy orders, unless they were firmly resolved to perform all the duties of their function; more particularly to lead such lives as might not contradict the doctrines they were to teach. A day or two before ordination, he submitted all those whom he had accepted to the examination of the dean and prebendaries, that so he might have their approbation.

" In the admission of presentees, he could not be so strict; the law having in some measure taken the judgment of their qualifications out of the ordinary; yet in this he went unusual lengths, of which I shall mention one singular instance †. In the latter part of the reign of queen Anne, the lord chancellor presented the younger son of a noble family in Oxfordshire

* He was so punctual in this, that no change of weather could ever induce him to disappoint any congregation where he was expected; and this assiduity had well nigh cost him his life, in the year 1698. For having appointed to preach and confirm, at the parish church of Dinton, within twelve miles of Salisbury, on a pre-fixed Sunday, the rains that fell on that day, and for some days before, had so swelled a brook which he was to cross, that his coach was overturned in the water, and his own life hardly saved by a miller, who jumped in and drew the bishop out of the water; for which seasonable service our author paid him a yearly gratuity all the rest of his life.

† This I had from Mr. Mackney, as a fact well known to himself, and to some others now alive.—*Note by Author's Son.*

to a parsonage within his diocese, which was in the gift of the crown. Upon trial, our author found him so ignorant, that he refused to institute him; the ministry threatened him with a law-suit, but, finding him resolute, they at length acquiesced under the refusal. Thereupon the bishop sent for the young gentleman, and told him, 'That as his patrons had given up the contest, and he had no design to do him any personal injury, if he could prevail on his friends to keep the benefice vacant, he himself would undertake the charge of qualifying him for it.' Accordingly he took such happy pains in his instruction, that, some months after, the presentee passed examination with applause, and had institution given him to the living.

"As the pastoral care, and the admitting none to it who were not duly qualified, was always uppermost in his thoughts, he concluded that he could not render a more useful service to religion, to the church, and more especially to his own diocese, than by forming under his eye a number of divines, well instructed in all the articles of their duty. He resolved therefore, at his own charge, to maintain a small nursery of students in divinity at Salisbury, who might follow their studies till he should be able to provide for them. They were ten in number, to each of whom he allowed a salary of thirty pounds a-year: they were admitted to him once every day, to give an account of their progress in learning, to propose to him such difficulties as they met with, in the course of their reading, and to hear a lecture from him, upon some speculative or practical point of divinity, or on some part of the pastoral function, which lasted above an hour: during the bishop's absence, the learned Dr. Whitby supplied his place, in superintending and directing their studies. By this means our author educated several young clergymen, who proved an honour to the church: but as this came to be considered as a present provision, with sure expectations of a future settlement, he was continually importuned, and sometimes imposed upon, as to the persons recommended to be of this number; and the foundation itself was so maliciously exclaimed at, as a designed affront upon the method of education at Oxford, that he was prevailed upon, after some years, to lay it wholly aside.

"Our author was a warm and constant enemy to pluralities of livings; not indeed where the two churches lay near each other, and were but poorly endowed, for in that case he rather encouraged them, as knowing the 'labourer was worthy his hire.' But whensoever non-residence was the consequence of a plurality, he used his utmost endeavours to prevent it, and in some cases even hazarded a suspension, rather than give institution. In his charges to the clergy he exclaimed against pluralities, as a sacrilegious robbery of the revenues of the church. A remarkable effect of his zeal upon this subject may not be improper to be here related *. In his first visitation at Salisbury, he urged the authority of St. Bernard, who being consulted by one of his followers, whether he might not accept of two benefices, replied, 'And how will you be able to serve them both?'—'I intend,' answered the priest, 'to officiate in one of them by a deputy.'—'Will your deputy be damned for you too?' cried the saint. 'Believe me, you may serve your cure by proxy, but you must be damned in person.' This expression so affected Mr. Kelsey, a pious and worthy clergyman there present, that he immediately resigned the rectory of Bemerton, worth two hundred pounds a-year, which he then held with one of a greater value. Nor was this Christian act of self-denial without its reward; for though their principles in church matters were very opposite, the bishop conceived such an esteem for him, from this

* This fact was told me by Mr. Wastefield, and is well known at Salisbury.—*Note by Author's Son.*

action, that he not only prevailed with the chapter to elect him a canon, but likewise made him archdeacon of Sarum, and gave him one of the best prebends in the church.

" In the point of residence, our author was so strict that he never would permit his own chaplains to attend upon him, after they were once preferred to a cure of souls, but obliged them to be constantly resident at their livings. Indeed he considered himself as under the same obligation as pastor of the whole diocese, and never would be absent from it but during his necessary attendance on parliament; from which, as soon as the principal business of the nation was despatched, he always obtained leave to depart, in order to return to his function. And though king William, upon his going over to Ireland or Flanders, always enjoined him to attend upon queen Mary, and assist her with his faithful counsel on all emergencies, yet he would not, upon such occasions, accept of lodgings at Whitehall, but hired a house at Windsor, in order to be within his own bishopric, and yet near enough to the court to pay his duty twice a week, or oftener, if business required it.

" No principle was more deeply rooted in him than that of toleration; it was not confined to any sect or nation, it was as universal as Christianity itself: he exerted it in favour of a nonjuring meeting-house at Salisbury, which he obtained the royal permission to connive at; and when the preacher there, Dr. Beach, by a seditious and treasonable sermon, had incurred the sentence of the law, our author not only saved him from punishment, but even procured his pardon, without the terms of a public recantation, upon which it was at first granted; as may be collected from the following letters, the one from the earl of Nottingham, then secretary of state, the other from Dr. Beach himself:—

' My Lord *, ' *Whitehall, 29th March*, 1692.

' I have acquainted the queen, at the cabinet council, with what your lordship writes in behalf of Dr. Beach; and though her majesty is always inclined to show mercy, and especially to such as your lordship recommends to her favour, yet since the crime, and the scandal of it, has been very public, her majesty thinks the acknowledgment of it should be so too, and therefore would have him make it in the church. When this is done, your lordship's intercession will easily prevail. I am, with great respect,

' My lord,

' Your lordship's most humble and faithful servant,

' Nottingham.'

' My Lord †,

' With all due deference of honour, and with all the respectful regard that can be correspondent to the no less generous than acceptable messages which I received from your lordship by Dr. Geddes, I humbly tender this to your lordship, hoping it may be favourably received in lieu of my personal attendance, which shall be readily paid (as it is due) at any time. Dr. Geddes has delivered me the desirable tidings of your lordship's free resolution, to rescue me from the further prosecution of that unhappy verdict I labour under. It is my desire, being freed from this troublesome storm, to live in peace and quiet, without disturbance of the government in general, and of any person in particular. And I cannot but deeply resent your obliging readiness to relieve me, because it is not clogged with any bitter conditions or reserves that would lessen the favour. What your lordship has resolved is

* The original was in the hands of the author's son. † Ibid.

what I humbly desire, and do not doubt but your lordship will pursue. The sooner the favour can be accomplished, and with the less noise before term, the more it will be endeared to, and challenge all gratitude from,

'My lord,

'Your much obliged and obedient servant,

'Wm. Beach *.'

"Yet when this spirit of moderation, of which the nonjurors felt the good effects, was extended to the dissenters, our author's enemies represented him as betraying the church into their hands; though he was really taking the most effectual means to bring them over, not indeed by compulsion, but by the more Christian methods of charity and persuasion: in which he was so successful, that many dissenting families, in his diocese, were by him brought over to the communion of our church; and of two presbyterian preachers, who were well supported when he first came to Salisbury, one was soon after obliged to quit the place, and the other but poorly subsisted in it.

"He perceived that the chief strength of the sectaries lay in the market-towns; the livings there were most commonly in the gift of the lord chancellor; and as the lord Somers, during his enjoyment of the seals, left the nomination to those in the diocese of Sarum to the bishop, he endeavoured to place in them none but learned, pious, and moderate divines, as being the best qualified to prevent the growth of schism. But as the benefices were generally small, and a poor church will be too often served by as poor a clerk, our author determined to obviate this difficulty, by bestowing upon these cures the prebends in his gift as they became vacant; and till such a vacancy happened, out of his own income he allowed the minister of every such church a pension of twenty pounds a year †: when the prebend itself was conferred upon him, the bishop insisted on his giving a bond to resign it, if ever he quitted the living. Though this matter had been laid before the most eminent prelates and divines of our church, as well as the most learned among the canonists, who highly approved the design; yet it was so warmly opposed by some of the clergy, that, in order to raise no farther strife in the church, our author was prevailed on to relinquish this project, and give up all the bonds he had taken. But as he could not, without the tenderest concern, behold the destitute condition of these poor benefices, most of which were attended with the largest cure of souls, so his disappointment in this scheme he had formed for his own bishopric, only gave occasion to a more universal plan, which he projected for the improvement of all the small livings in England, and which was liable to no exception. This he pressed forward with so much success, that it terminated at length in an act of parliament, passed in the second year of queen Anne, 'for the augmentation of the maintenance of the poor clergy.'"

Thus fulfilling the duties of his sacred station; actuated by such conciliating principles; it might be expected that in his episcopal character he was at least free from the aspersions of his enemies; but in this expectation the reader is deceived. Dr. Burnet had formed a very high and dignified opinion of the conduct that should be adopted by the head of a diocese: he comprised it in one sentence.—"A bishop ought to be the leader of no particular class of

* In a "Letter to T. Burnet," published in 1736, this transaction is stated somewhat differently; but it on the whole confirms the fact, that the bishop interceded for Dr. Beach, whom, as in duty bound, he had detected in seditious declarations.

† This appears from his steward's accounts, and was confirmed to his son by Mr. Wastefield.

persons, but the head and father of the people in his diocese." In accordance with this, we have seen he was anxious for the comfort and well-being of every denomination of Christians—his creed was based on toleration, and he strove to unite all the sects within his diocese, in ascertaining the only essential object of the Gospel, viz. instructing "man to do justly; to love mercy; and to walk humbly with God." To effect this, he knew full well the most efficient means was to secure a faithful, pious, parochial clergy; to accomplish this he put aside all the considerations of interest, and turned a deaf ear to the solicitations, the compliments, and the abuse that he incurred. He is not the true friend of an establishment, that is blind to all its defects; but he who duly appreciates them, and dares to risk the obloquy of endeavouring to remove them. The decay, the corruptions, of an ecclesiastical system, above all others, will sooner or later be detected; it is connected with man's most awful interests, it is scrutinised by those of its own communion as well as by sectarians; it is wise and dignified, therefore, for it to take the lead in, rather than to be dragged to self-reformation. Burnet fully understood this; he had been born, educated, and had lived in manhood amongst the most strict dissenters from our church; he knew the plague-spots to which they had pointed the finger, and against which they had shaken the head; he was obliged to confess that the parochial clergy in his time "had less authority, and were more in contempt, than any other church in Europe; and that they would never regain the influence they had lost, until they lived better and laboured more." His reprehensions were not confined to the subordinate ministers of the establishment; he wrote against the conduct of the Scotch bishops, and he was far from praising the conduct of the whole English episcopal bench. This was sufficient to raise against him a host of assailants; and he is to this day considered by those who think that reproof springs always from hatred, and reform from a wish to destroy, as a heterodox bishop—an episcopalian by interest, and a presbyterian at heart. Those who so esteem him we may refer to his conduct as a bishop, and his successful efforts to increase the incomes of the small livings of our country. If such conduct is heterodox; if an indefatigable effort to do his duty kindly, charitably, and tolerantly, yet with dignity, deserve this exclusive epithet, we may wish without prejudice to the interests of our church, that all may similarly stray. Burnet does not stand in the rank with those brilliant characters who have enriched our theological and polemical literature—he will never be instanced among those whose text has been "Orthodoxy," and their principle "Intolerance." But he was one of those who may always be quoted as an example how the duties of a Christian bishop ought to be performed.

The best defence of Burnet's religious principles are contained in some of the opening passages of his last will. They amount to a confession of his faith,—a faith actuated by a spirit which, if it inspired all Christians, would put a final end to bigotry and uncharitableness. "I live and die," says the bishop in this his last record, "a sincere Christian, believing the truth of that gospel which for many years I have preached to others. I am a true protestant according to the church of England; full of affection and brotherly love to all who have received the reformed religion, though in some points different from our constitution. I die, as I all along lived and professed myself to be, full of charity and tenderness for those among us who yet dissent from us, and heartily pray that God would heal our breaches, and make us like-minded in all things, that so we might unite our zeal, and join our endeavours against atheism and infidelity, that have prevailed much; and against popery, the greatest enemy to our church, more to be dreaded than all other parties."

It remains to be considered how Dr. Burnet conducted himself as a politician in the

momentous constitutional changes of the period, but this will here be done very succinctly, because the following work is a narrative of his conduct, and in the notes to some of the transactions of which he is the historian, opportunities will occur of considering his public conduct in detail.

Charles the Second and the duke of York, afterwards James the Second, very frequently consulted him; but so far from cultivating their patronage, he wrote to the first, urging him to change his course of life: and, together with Dr. Stillingfleet, had a conference with two popish priests in the presence of the duke, in order to convince him of the errors of their creed. He was the friend and associate of lord William Russell, the earl of Essex, and their party, but was never involved in any of their plots. These facts were enough to render both Charles and James his enemies, so that when the latter acquired the crown, Burnet retired to the continent; but even here, Stuart hatred could not let him rest, for the king insisted that he should not be entertained by the court of Holland. He was even prosecuted on a charge of high treason. Of the Revolution in 1688, he was one of the most efficient promoters; as he was in securing the succession of the house of Hanover.

In every effort of his public career, in every vote as a member of the senate, he showed himself the friend of christian charity, and the fast foe of all intolerance. He wrote and acted unflinchingly in the cause of the protestant religion, episcopacy, and civil liberty; undeterred by the threats, uninfluenced by the proffered bribes, of dissenters and papists.

But though he so acted, and consequently co-operated in general with the Whigs, yet he was no partisan; he never gave a vote because it agreed with those of a political cabal; he voted for what he considered the right, he opposed that which he esteemed obnoxious, without any inquiry as to the men by whom it was supported. In sustaining his opinions; in reprobating the conduct of those whom he thought blameworthy, he acted and he writes with ardour and energy; his eye seems fixed upon the object, his blows are heavy both in number and effect; and he seems determined by main force to drive in the wedge, careless who may suffer by the necessary cleavage: yet the reader seldom feels that he is needlessly violent or severe—as the conviction always accompanies his attacks, that he conscientiously thought them deserved, and that they would be productive of good. They are occasionally wrong; they are sometimes tinted by egotism; they are frequently biassed, but you are quite sure they were not thought so by the writer, they are fearless, candid, honest. He strips off the skin, and though he may sometimes say the carcass is black when it is fair, he at all events enables his readers to judge for themselves; he shows you what he saw himself—he tells you what he was told—he says who said it—he warns you of his prejudices—if you are deceived, it is your own fault.

Burnet has recorded as his opinion, that "the more abstracted bishops live from the world, from courts, from cabals, and from parties, they will have the more quiet within themselves, and, in conclusion, be more respected by all; especially, if an integrity and a just freedom appear among them in the House of Lords, where they will be much observed, and judgments will be made of them there, that will follow them home to their dioceses. Nothing will alienate the nation more from them, than their becoming tools to a court, giving up the liberties of their country, and advancing arbitrary designs." After the opinion given in the opening of this paragraph, just and admirable as is the whole, it may be asked, how can his conduct be defended, since he was so actively employed in the political struggles of his times? But two *improper* motives could actuate him—ambition or avarice. Now, neither of these were his failings. He did not pursue the path, which he knew would lead to the

gratification of both; he was no flatterer, he was no party man, he declined promotion, he declared he should be ashamed to raise fortunes for his children out of the revenues of his bishopric. What then could be his motives to mingle actively in the political contests of those eventful days? In that word "eventful," I conceive we have the clue to extricate him from even the appearance of inconsistency. Foes as well as friends agree that he had a powerful understanding; that he was well acquainted with the history and statistics of all Europe: and was thoroughly informed in the law of nations, and the systems of government. He must then have felt himself armed, and capable for the political arena. When, therefore, the liberties of his country, its civil and religious rights, its church establishment, its protestant government, were invaded, and attempted to be subverted, he had to consider whether this was not an exception to the general rule which he entertained. He decided in the affirmative; and those who know that the hope of restoring a popish monarch did not cease to be cherished by a state-party until long after the decease of our author, will not consider him to blame, for combining the duties of his episcopal office with those of an active guardian of the liberties and religion of his country.

Reglancing over his character as it is developed by his writings and his conduct—viewing him devoted to his duties as a parish priest, as a public professor, and as a bishop; and finding that in private life he was exemplary as a husband, as a parent, and as a master, we need not ask what were the opinions of his contemporaries; for if they united in vilifying him, we might without prejudice consider, that there is less danger of us being biassed judges than of them being biassed witnesses. It is impossible that a lover of truth, as Burnet unquestionably was, would write anything knowing it to be false. It is probable that as a lover of the episcopal reformed religion, and acting with a party who were similarly influenced, he may have been prejudiced, so as to be too favourable in observing their errors, and not equally perspicacious in discovering the merits of their opponents, or in finding allowances for their follies and mistakes. In such instances, the editor has endeavoured to concentrate from other authorities a correcter light. On the other hand, where the author's statements have been carelessly impugned, the editor has been as watchful to strengthen his narration by testimonials similarly concentrated.

Throughout the work, notes illustrative of the actors, and explanatory of the transactions in which they were engaged, have been added from worthy authorities; and no efforts have been spared to make the work a full and faithful history of the Revolution and its contingent periods.

With the text no other liberty has been taken than to alter the spelling and grammatical construction according to more modern usage.

Dr. Burnet's style of writing history is characterised by its simplicity. It carries with it the conviction, that he is telling what he believed to be true—a conviction that is strengthened by his always stating his authorities, and by his speaking doubtingly when he was himself unsatisfied. Mr. Higgons objected to his work, that he relates so much upon hearsay—hearsay is a synonym for the testimony of another, and if this is excluded, Pyrrhonism must be universal. Such testimony the bishop certainly records abundantly, but he as constantly apprises his reader of the authority upon which he has to depend.

Of the language and composition of the work, it is giving it no common character to say that it is sober English. Burnet is a writer of that class so well described by bishop Taylor, when he said "their thread is not fine, but it is plain, and strong." He aims at no ornament to render his style elegant, or even smooth; he estimates a character acutely,

and judges of transactions sensibly ; and he relates his estimate and his judgment openly and blandly. His periods are never involved, though sometimes too lengthy ; his language is never inflated ; and perhaps no English historian can be quoted who appears to have written so entirely for the purpose of enabling his readers to remember his facts. He never employs words that savour of the dictionary, when more usual words would express his meaning as well ; yet he is never insipid, though often careless in his diction. His narrative in general glides on colloquially ; and the reader has the continued satisfaction of feeling that, if he believes the incidents, he only does what was done by the relater himself*.

It was almost a necessary consequence that Burnet's work gave birth to many and very virulent criticisms. His theme was the conduct of contemporaries, and these would generally consider that his vituperations, as well as his praises, were misplaced and of erroneous intensity, accordingly as they were applied to themselves or to their opponents. The transactions of which he was the historian were no petty court intrigues, involving merely the ephemerals who were engaged in them, and whose exposure would give pleasure to many more than it would annoy. They were transactions involving the happiness of every Englishman ; the whole nation was uproused : every man's hand grasped, or was ready to grasp, the sword in the cause of the party he conceived to hold the right. Liberty of conscience, the political rights of Englishmen, the prerogative of the crown, the limits of obedience, the resistance to executive oppression, were now to be decided ; and at such a season every Englishman must be, and was, roused to a bold declaration and active maintenance of his opinions. Of these, our author, strenuously engaged in them himself, undertook to be the critical historian, and can any one expect that, in so doing, he should be without one tint of prejudice ? If he had been so immaculate, he must have been more than man. It is true he undertook the task of his own accord, and as he himself tells us, "with a design to make both himself and his readers wiser and better, and to lay open the good and bad of all sides and parties as clearly and impartially as he himself understood it, and to represent things in their natural colours without art or disguise, without any regard to kindred or friends, to parties or interests ;" therefore we have a right to expect of him the integral truth of which he had the knowledge ; we have a right to expect that he shall use no casuistry to defend what he knew to be wrong ; no attributing of motives that he knew were not the actuating ones ; an equal freedom and candour when speaking of the living and the dead ; an obedience to the consciousness, to use our author's own words, "that a lie in history is a much greater sin than a lie in common discourse." We have a right to expect all this of Burnet, but we have no right to require that he shall never be mistaken, either in his facts or his inferences ; and are too totally of a wrong spirit to be able to judge of his merits, if we attribute all his errors to a wish to deceive. Let it be confessed that he is often mistaken, often prejudiced in his conclusions ; yet there is no well-regulated mind that has studied the history of his period will dissent from the conclusion of Dr. Routh, the editor of the Oxford edition of this work, that "his history is one which will never lose its importance, but will continue to furnish materials for other historians, and to be read by those who wish to derive their knowledge of facts from the first sources of information. The accuracy of his narration has often been attacked with vehemence, and often, it must be confessed, with success ; but not so often as to overthrow the general credit of his work. On the contrary, it has, in many

* In the course of the preceding pages the editor has quoted from some very able "Remarks upon Bishop Burnet's History of his own Times," published in a praiseworthy quarterly journal called "The Analyst." In other instances the editor finds he has unconsciously adopted the opinions there expressed—unconsciously, because he has for years entirely coincided with them. From the same writer we may expect for a still more extended tribute to Burnet's merit.

instances, been defended; and time has already evinced the truth of certain records which rested on his single authority."

Occasionally he is wrong in his dates; and his calumniators, with a logic most consonant with their other misprisions, have thence concluded that the facts connected with them are also false. Where these errors occur, those best acquainted with his work will perceive that they generally are owing to his following the consequences of an event in one connected narrative. Sometimes he is absolutely wrong; but if he is to be dismissed without mitigation, as unworthy of any credit for these mistakes, what is to be the fate of Clarendon? Clarendon rarely gives the chronology of his history, and repeatedly reverses the order of his events, if not designedly, always with a most happy effect, in screening the errors of those whom he wished to be in the right.

It is but fair to examine the characters and works of those who most prominently attacked our author. Mr. Bevil Higgons led the van with his "Historical and Critical Remarks on Bishop Burnet's History of his own Times." Mr. Higgons was a firm adherent to James the Second; retired with him, and died in exile; he must therefore have been liable to the most illiberal prejudices against our author. That he was infected with them needs no other proof than the perusal of his work. I have not a fear of contradiction when I state, that no volume in our language exists so full of unsubstantiated assertions, and groundless abuse. One extract will suffice to enable the reader to estimate the credit due to this Aristarchus. He commences by saying, that Burnet's work contains "such an uninterrupted series of untruths as will astonish; not mistakes proceeding from negligence or human infirmity, but from a corrupt design to impose on posterity; not from misinformation or error of judgment, but from a deliberate act of the will, what the logicians call a volition to do mischief, by not only misrepresenting matters of fact, and setting them in a false light, but positive assertions of several things which he must have known in his conscience to be absolutely contrary to truth; so that, if we may judge by the whole tenor of the book, we may venture to affirm that nothing can equal his insincerity but his malice; and, if possible, exceed both, but his vanity." Whatever errors Mr. Higgons succeeded in pointing out have been noticed in the notes to this edition; their extreme deficiency in number and importance prove the virulence of the critic who could introduce them with a malevolence like the preceding.

Dr. John Cockburn was the author of "A Specimen of some free and impartial Remarks on Public Affairs and particular Persons, especially relating to Scotland, occasioned by Dr. Burnet's History of his own Times." He was an episcopalian, and, like Mr. Higgons, attached to the fortunes of James the Second, whom he followed into exile.

This gave rise to "A Vindication" of Dr. Burnet, and this Vindication called forth "A Defence of Dr. Cockburn."

An anonymous work appeared about the same time, entitled "A Review of Bishop Burnet's History of his own Times, particularly his Characters and secret Memoirs, with critical Remarks showing the Partiality, Inconsistency, and Defects of that Political History."

Mr. Lawrence Braddon in 1725 published a pamphlet entitled "Bishop Burnet's History charged with great Partiality and Misrepresentations, to make the present and future Ages believe that the earl of Essex in 1683 murdered himself." But the memory of the earl is here vindicated, and it is proved that his lordship was murdered the third morning after his confinement. Mr. Braddon in 1683 was prosecuted and fined 2,000*l*., and ordered to give security for his good behaviour, during life, for endeavouring by lawful means to discover this murder, and he was imprisoned five years, before the Revolution discharged him. In 1688

and 89, Mr. Braddon prosecuted that inquiry before a secret committee of lords, and nearly sixty witnesses were examined, of which examinations an abstract is here published; the reasons the lords came to no resolution; and observations upon the supposed poisoning of Charles the Second."

This *condensation* of the title-page may serve as the table of its contents.

Having read the evidence given by Mr. Braddon, I cannot but conclude that there are justifications for the suspicion that the earl was murdered; but on the other hand there are many considerations which render it very improbable. The evidence on either side is too extended to be even epitomised; the reader who wishes for further information must consult the statements in Mr. Braddon's book, the evidence at his trial, &c.; and, after having done so, will probably conclude, with the editor, that the case is at present incapable of decision either way. Some further notice will be made of this affair in a future page.

The earl of Lansdowne in 1732 attacked our author's work, in "A Letter to the Author (Mr. Oldmixon) of the Reflections, Historical and Political, &c." This was replied to by the bishop's son, Thomas, who was the author of the life usually prefixed to this work, and from which extracts have been given.

These, and others, only assail our author upon certain detached statements; granting the entire of which to be wrong, the work will still remain, as a whole, among the most impartial and most correct of our national histories.

THE

HISTORY OF MY OWN TIMES.

BOOK I.

A SUMMARY RECAPITULATION OF THE STATE OF AFFAIRS IN SCOTLAND, BOTH IN CHURCH AND STATE; FROM THE BEGINNING OF THE TROUBLES, TO THE RESTORATION OF KING CHARLES THE SECOND, 1660.

THE mischiefs of civil wars are so great and lasting, and the effects of them branching out by many accidents, that were not thought on at first, much less intended, into such mischievous consequences, that I have thought it an inquiry that might be of great use both to prince and people, to look carefully into the first beginnings and occasions of them, to observe their progress, and the errors of both hands, the provocations that were given, and the jealousies that were raised by these, together with the excesses into which both sides have run by turns. And though the wars be over long ago, yet since they have left among us so many seeds of lasting feuds and animosities, which upon every turn are apt to ferment and to break out anew, it will be an useful as well as a pleasant inquiry to look back to the first original of them, and to observe by what degrees and accidents they gathered strength, and at last broke forth into a flame.

The Reformation of Scotland was popular and parliamentary. The crown was during that time, either on the head of a queen that was absent, or of a king that was an infant. During his minority, matters were carried on by the several regents so as was most agreeable to the prevailing humour of the nation. But when king James grew to be of age, he found two parties in the kingdom. The one was, of those who wished well to the interest of the queen his mother, then a prisoner in England. These were either professed papists, or men, believed to be indifferent as to all religions. The rest were her inveterate enemies, zealous for the reformation, and fixed in a dependence on the crown of England, and in a jealousy of France. When that king saw that those who were most in his interests were likewise jealous of his authority, and apt to encroach upon it, he harkened first to the insinuations of his mother's party, who were always infusing in him a jealousy of these his friends; saying, that by ruining his mother, and setting him in her room while a year old, they had ruined monarchy, and made the crown subject and precarious; and had put him in a very unnatural posture, of being seised of his mother's crown while she was in exile and a prisoner; adding, that he was but a king in name, the power being in the hands of those, who were under the management of the queen of England.

Their insinuations would have been of less force, if the house of Guise, who were his cousin germans, had not been engaged in great designs, of transferring the crown of France from the house of Bourbon to themselves; in order to which it was necessary to embroil England, and to draw the king of Scotland into their interests. So under the pretence of keeping up the old alliances between France and Scotland, they sent creatures of their own to

be ambassadors there; and they also sent a graceful young man, who, as he was the king's nearest kinsman by his father, was of so agreeable a temper that he became his favourite, and was made by him duke of Lenox. He was known to be a papist, though he pretended he changed his religion, and became in profession a protestant *.

The court of England discovered all these artifices of the Guisians, who were then the most implacable enemies of the Reformation, and were managing all that train of plots against queen Elizabeth, that in conclusion proved fatal to the queen of Scots. And when the English ministers saw the inclinations of the young king lay so strongly that way, that all their applications to gain him were ineffectual, they infused such a jealousy of him into all their party in Scotland, that both nobility and clergy were much alarmed at it.

But king James learnt early that piece of king-craft, of disguising, or at least denying every thing that was observed in his behaviour that gave offence.

The main instance in which the French management appeared, was that he could not be prevailed on to enter into any treaty of marriage. It was not safe to talk of marrying a papist; and as long as the duke of Guise lived, the king, though then three and twenty, and the only person of his family, would harken to no proposition for marrying a Protestant.

But when the duke of Guise was killed at Blois, and that Henry the third was murdered soon after, so that Henry the fourth came in his room, king James was no more in a French management: so presently after he married a daughter of Denmark, and ever after that he was wholly managed by queen Elizabeth and her ministers. I have seen many letters among Walsingham's papers that discover the commerce between the house of Guise and him †: but the most valuable of these is a long paper of instructions to one Sir Richard Wigmore, a great man for hunting, and for all such sports, to which king James was out of measure addicted. The queen affronted him publicly: upon which he pretended he could live no longer in England, and, therefore, withdrew to Scotland. But all this was a contrivance of Walsingham's, who thought him a fit person to get into that king's favour: so that affront was designed to give him the more credit. He was very particularly instructed in all the proper methods to gain upon the king's confidence, and to observe and give an account of all he saw in him; which he did very faithfully. By these instructions it appears that Walsingham thought that King was either inclined to turn papist, or to be of no religion.‡ And when the court of England saw that they could not depend on him, they raised all possible opposition to him in Scotland, infusing strong jealousies into those who were enough inclined to receive them.

This is the great defect that runs through archbishop Spotiswood's history, where much of the rude opposition that king met with, particularly from the assemblies of the kirk, is set forth; but the true ground of all the jealousies they were possessed with, is suppressed by him. After his marriage they studied to remove these suspicions all that was possible; and he granted the kirk all the laws they desired, and got his temporal authority to be better established than it was before: yet as the jealousies of his fickleness in religion were never quite removed, so they gave him many new disgusts: they wrought

* This was Esmé Stuart, Lord d'Aubigné, in France. According to Robertson, he was the earliest, best beloved, and most deserving, though not most able of James's favourites. Honours were poured upon him with the accustomed rapidity and profusion. Within a few days after his first appearance at Court he was created Lord Aberbrothic, and soon were added to this the titles of Earl and Duke of Lenox, with the offices of Governor of Dumbarton Castle, Captain of the Guard, first Lord of the Bed chamber, and Lord High Chamberlain. Burnet seems to have erred when he coincided in the popular Scottish belief that the Duke died a papist. Spotiswood and Calderwood agree that on his death-bed, when the hypocrite is always detected, he declined the attendance of the papal priests, and professed that he died in the communion of the Scottish Church.

† That is, between the house of Guise and King James.

‡ Sir Roger Aston, King James's barber, was the only person employed as a messenger from that King to Queen Elizabeth. In that capacity he only carried letters, they never trusting him to be their representative. Sir Anthony Weldon says, he was a native of England, probably of Cheshire, and an honest free-hearted man, but ill-educated. He told Weldon, that he never came to deliver letters to the Queen, without being placed in the anteroom, in such a situation that he could see her dancing to the music of a fiddle. This was done that he might tell his master how little likely he was to come to the English crown. When Sir Roger Aston came from James to the English council upon the death of the Queen, they courteously inquired how he was, to which he replied, "Even, my lords, like a poor man, who after wandering above forty years in a wilderness and barren soil, am now arrived at the Land of Promise." He was made Gentleman of the Bedchamber, Master of the Wardrobe, and was always much courted as having great influence over his master. He left his daughters very large fortunes.—*Weldon's Court of James*, p. 5.

in him a most inveterate hatred of presbytery, and of the power of the kirk; and he, fearing an opposition in his succeeding to the crown of England from the papist party, which, though it had little strength in the House of Commons, yet was very great in the House of Lords, and was very considerable in all the northern parts, and among the body of the people, employed several persons who were known to be papists though they complied outwardly. The chief of these were Elphinston, secretary of state, whom he made lord Balmerinoch; and Seaton, afterwards chancellor and earl of Dunfermline. By their means he studied to assure the papists that he would connive at them. A letter was also written to the pope by him giving assurance of this, which when it became to be published by Bellarmin, upon the prosecution of the recusants after the discovery of the gunpowder plot, Balmerinoch did affirm, that he out of zeal to the king's service got his hand to it, having put it in the bundle of papers that were signed in course, without the king's knowing any thing of it. Yet when that discovery drew no other severity but the turning him out of office, and the passing a sentence condemning him to die for it (which was presently pardoned, and he was after a short confinement restored to his liberty), all men believed that the king knew of the letter, and that the pretended confession of the secretary was only collusion, to lay the jealousies of the king's favouring popery, which still hung upon him, notwithstanding his writing on the Revelation, and his affecting to enter on all occasions into controversy, asserting in particular that the pope was antichrist.

As he took these methods to manage the popish party, he was much more careful to secure to himself the body of the English nation. Cecil, afterwards earl of Salisbury, secretary to queen Elizabeth, entered into a particular confidence with him: and this was managed by his ambassador Bruce, a younger brother of a noble family in Scotland, who carried the matter with such address and secrecy, that all the great men of England, without knowing of one another's doing it, and without the queen's suspecting any thing concerning it, signed in writing an engagement to assert and stand by the king of Scots' right of succession. This great service was rewarded by making him master of the rolls, and a peer of Scotland: and as the king did raise Cecil and his friends to the greatest posts and dignities, so he raised Bruce's family here in England.

When that king came to the crown of England, he discovered his hatred to the Scottish kirk on many occasions, in which he gratified his resentment without consulting his interests. He ought to have put his utmost strength to the finishing what he but faintly begun for the union of both kingdoms, which was lost by his unreasonable partiality, in pretending that Scotland ought to be considered in this union as the third part of the isle of Great Britain, if not more. So high a demand ruined the design. But when that failed, he should then have studied to keep the affections of that nation firm to him: and certainly he, being secure of that kingdom, might have so managed matters, as to have prevented that disjointing which happened afterwards both in his own reign, and more tragically in his son's. He thought to effect this by his profuse bounty to many of the nobility of that kingdom, and to his domestic servants: but as most of these settling in England were of no further use to him in that design, so his setting up episcopacy in Scotland, and his constant aversion to the kirk, how right soever it might be in itself, was a great error in policy; for the poorer that kingdom was, it was both the more easy to gain them, and the more dangerous to offend them. So the terror which the affections of the Scotch nation might have justly given the English was soon lost, by his engaging the whole government to support that, which was then very contrary to the bent and genius of the nation.

But though he set up bishops, he had no revenues to give them, but what he was to purchase for them. During his minority all the tithes and the church lands were vested in the crown: but this was only in order to the granting them away to the men that bore the chief sway. It is true, when he came of age, he, according to the law of Scotland, passed a general revocation of all that had been done in his infancy: and by this he could have resumed all those grants. He, and after him his son, succeeded in one part of his design: for, by act of parliament a court was erected that was to examine and sequester a third part of the tithes in every parish, and so make a competent provision out of them to those who served the cure; which had been reserved in the great alienation for the service of the

church. This was carried at first to a proportion of about thirty pounds a year, and was afterwards in his son's time raised to about fifty pounds a year; which, considering the plenty, and the way of living in that country, is a very liberal provision, and is equal in value to thrice that sum in the southern parts of England. In this he had both the clergy and the body of the people on his side. But he could not so easily provide for the bishops: they were at first forced to hold their former cures with some small addition.

But as they assumed at their first setting up, little more authority than that of a constant president of the presbyters, so they met with much rough opposition. The king intended to carry on a conformity in matters of religion with England, and he begun to buy in from the grantees many of the estates that belonged to the bishoprics. It was also enacted, that a form of prayer should be drawn for Scotland: and the king was authorised to appoint the habits in which the divine offices were to be performed. Some of the chief holy-days were ordered to be observed. The sacrament was to be received kneeling, and to be given to the sick. Confirmation was enacted: as was also the use of the cross in baptism. These things were first past in general assemblies, which were composed of bishops, and the deputies chosen by the clergy, who sat all in one house: and in it they reckoned the bishops only as single votes. Great opposition was made to all these steps: and the whole force of the government was strained to carry elections to those meetings, or to take off those who were chosen; in which it was thought that no sort of practice was omitted. It was pretended that some were frighted, and others were corrupted.

The bishops themselves did their part very ill. They generally grew haughty; they neglected their functions, and were often at court, and lost all esteem with the people. Some few that were stricter and more learned did lean so grossly to popery, that the heat and violence of the reformation became the main subject of their sermons and discourses. King James grew weary of this opposition, or was so apprehensive of the ill effects it might have, that, what through sloth or fear, and what by reason of the great disorder into which his ill conduct brought his affairs in England in his latter years, he went no further in his designs on Scotland.

He had three children. His eldest, prince Henry, was a prince of great hopes; but so very little like his father, that he was rather feared than loved by him. He was so zealous a protestant, that, when his father was entertaining propositions of marrying him to popish princesses, once to the archduchess, and at another time to a daughter of Savoy, he, in a letter that he wrote to the king on the twelfth of that October in which he died, (the original of which Sir William Cook shewed me) desired, that if his father married him that way, it might be with the youngest person of the two, of whose conversion he might have hope, and that any liberty she might be allowed for her religion might be in the privatest manner possible. Whether this aversion to popery hastened his death or not, I cannot tell. Colonel Titus assured me that he had from king Charles the first's own mouth, that he was well assured he was poisoned by the earl of Somerset's means *. It is certain, that from the time of the gunpowder plot, king James was so struck with the terror of that danger he was then so near, that ever after he had no mind to provoke the jesuits; for he saw what they were capable of.

And since I name that conspiracy which the papists in our days have had the impudence to deny, and to pretend it was an artifice of Cecil's to engage some desperate men into a plot, which he managed so that he could discover it when he pleased, I will mention what I

* It is certain that King James thought himself eclipsed by his son, and that the latter, as Wilson says, was "too high mounted in the people's love;" this jealousy was notorious, and ought to have prevented the king omitting any of the usual demonstrations of grief. This however was done, and by royal mandate, directions were given that "no man should appear in the court in mourning." The excuse for this was that the elector palatine was here to marry the princess Elizabeth. There is not the remotest suspicion entertainable that the king rejoiced at, much less that he accelerated, his son's death. But his favourite, the earl of Somerset, is not so free from this ill opinion. He was subsequently proved to be guilty of another murder, from the penalty of which crime James released him and his still more guilty wife. Prince Henry had openly expressed his mortal detestation towards him. Wilson, one of the most unprejudiced of the contemporary annalists, sanctions the charge (History of James, 62). Weldon does the same (Court of James, 84, 85). It was insinuated in a sermon preached at St. James's; and hinted at by sir Francis Bacon in open court (Wellwood's Memoirs, by Maseres, 21). The post-mortem report of the physicians neither confirms or refutes the charge. Rapin believed it.

myself saw, and had for some time in my possession. Sir Everard Digby died for being of the conspiracy; he was the father of the famous sir Kenelm Digby. The family being ruined upon the death of sir Kenelm's son, when the executors were looking out for writings to make out the titles of the estates they were to sell, they were directed by an old servant to a cupboard that was very artificially hid, in which some papers lay that she had observed sir Kenelm was oft reading. They looking into it, found a velvet bag, within which there were two other silk bags, (so carefully were those relics kept), and there was within these a collection of all the letters that sir Everard wrote during his imprisonment. In these he expresses great trouble because he heard some of their friends blamed their undertaking; he highly magnifies it, and says if he had many lives he would willingly have sacrificed them all in carrying it on. In one paper he says, they had taken that care that there were not above two or three worth saving, to whom they had not given notice to keep out of the way; and in none of those papers does he express any sort of remorse for that which he had been engaged in, and for which he suffered.

Upon the discovery of that plot there was a general prosecution of all papists set on foot: but king James was very uneasy at it: which was much increased by what sir Dudly Carlton told him upon his return from Spain, where he had been ambassador; (which I had from the lord Hollis, who said to me that sir Dudly Carlton told it to himself, and was much troubled when he saw it had an effect contrary to what he had intended.) When he came home, he found the king at Theobald's hunting in a very careless and unguarded manner: and upon that, in order to the putting him on a more careful looking to himself, he told the king he must either give over that way of hunting, or stop another hunting that he was engaged in, which was priest hunting: for he had intelligence in Spain that the priests were comforting themselves with this, that if he went on against them they would soon get rid of him: queen Elizabeth was a woman of form, and was always so well attended, that all their plots against her failed, and were never brought to any effect: but a prince who was always in woods or forests would be easily overtaken. The king sent for him in private to inquire more particularly into this: and he saw it had made a great impression on him: but wrought otherwise than he intended. For the king, who resolved to gratify his humour in hunting, and in a careless and irregular way of life, did immediately order all that prosecution to be let fall. I have the minutes of the council books of the year 1606, which are full of orders to discharge and transport priests, sometimes ten in a day. From thence to his dying day he continued always writing and talking against popery, but acting for it. He married his only daughter to a protestant prince, one of the most zealous and sincere of them all, the elector palatine; upon which a great revolution happened in the affairs of Germany. The eldest branch of the house of Austria retained some of the impressions that their father Maximilian II. studied to infuse into them, who as he was certainly one of the best and wisest princes of these latter ages, so he was unalterably fixed in his opinion against persecution for matters of conscience: his own sentiments were so very favourable to the protestant doctrine, that he was thought inwardly theirs. His brother Charles of Gratz was on the other hand wholly managed by the jesuits, and was a zealous patron of theirs, and as zealously supported by them. Rodolph and Matthias reigned one after another, but without issue. Their brother Albert was then dying in Flanders: so Spain with the popish interest joined to advance Ferdinand, the son of Charles of Gratz: and he forced Matthias, to resign the crown of Bohemia to him, and got himself to be elected king. But his government became quickly severe: he resolved to extirpate the protestants, and began to break through the privileges that were secured to them by the laws of that kingdom.

This occasioned a general insurrection, which was followed by an assembly of the States, who together with those of Silesia, Moravia and Lusatia joined in deposing Ferdinand: and they offered their crown, first to the duke of Saxony who refused it, and then to the elector palatine who accepted of it, being encouraged to it by his two uncles, Maurice, prince of Orange and the duke of Bouillon. But he did not ask the advice of king James: he only gave him notice of it when he had accepted the offer. Here was the most probable occasion that has been offered since the reformation for its full establishment.

The English nation was much inclined to support it: and it was expected that so near a

conjunction might have prevailed on the king: but he had an invincible aversion to war: and was so possessed of the opinion of a divine right in all kings, that he could not bear that even an elective and limited king should be called in question by his subjects: so he would never acknowledge his son-in-law king, nor give him any assistance for the support of his new dignity. And though it was also reckoned on, that France would enter into any design that should bring down the house of Austria, and Spain by consequence, yet even that was diverted by the means of De Luynes; a worthless but absolute favourite, whom the archduchess Isabella, princess of the Spanish Netherlands gained, to oblige the king * into a neutrality by giving him the richest heiress then in Flanders, the daughter of Peguiney, left to her disposal, whom he married to his brother.

Thus poor Frederick was left without any assistance. The jealousy that the Lutherans had of the ascendant that the Calvinists might gain by this accession had an unhappy share in the coldness which all the princes of that confession shewed towards him; though Saxony only declared for Ferdinand, who likewise engaged the duke of Bavaria at the head of a catholic league to maintain his interests. Maurice prince of Orange had embroiled Holland by the espousing the controversy about the decrees of God, in opposition to the Arminian party, and by erecting a new and illegal court by the authority of the States general to judge of the affairs of the province of Holland; which was plainly contrary to their constitution, by which every province is a sovereignty within itself, not at all subordinate to the States general, who act only as plenipotentiaries of the several provinces to maintain their union and their common concerns. By that assembly Barnevelt was condemned and executed: Grotius and others were condemned to perpetual imprisonment: and an assembly of the ministers of the several provinces met at Dort by the same authority, and condemned and deprived the Arminians. Maurice's enemies gave it out that he managed all this on design to make himself master of the provinces, and to put those who were like to oppose him out of the way. But though this seems a wild and groundless imagination, and not possible to be compassed, yet it is certain that he looked on Barnevelt and his party as men who were so jealous of him and of a military power, that as they had forced the truce with Spain, so they would be very unwilling to begin a new war; though the disputes about Juliers and Cleves had almost engaged them, and the truce was now near expiring; at the end of which he hoped, if delivered from the opposition that he might look for from that party, to begin the war anew. By these means there was a great fermentation over all the provinces, so that Maurice was not then in condition to give the elected king any considerable assistance; though indeed he needed it much, for his conduct was very weak. He affected the grandeur of a regal court, and the magnificence of a crowned head too early: and his queen set up some of the gay diversions that she had been accustomed to in her father's court, such as balls and masks, which very much disgusted the good Bohemians, who thought that a revolution made on the account of religion ought to have put on a greater appearance of seriousness and simplicity. These particulars I had from the children of some who belonged to that court. The elected king was quickly overthrown, and driven, not only out of those his new dominions, but likewise out of his hereditary countries: he fled to Holland, where he ended his days. I will go no farther in a matter so well known as king James's ill conduct, in the whole series of that war, and that unheard of practice of sending his only son through France into Spain, of which the relations we have are so full that I can add nothing to them.

I will only here tell some particulars with relation to Germany, that Fabricius, the wisest divine I knew among them, told me he had from Charles Lewis the elector palatine's own mouth. He said, Frederick II. who first reformed the palatinate, whose life is so curiously written by Thomas Hubert of Liege, resolved to shake off popery, and to set up Lutheranism in his country. But a counsellor of his said to him, that the Lutherans would always depend chiefly on the house of Saxony; so it would not become him who was the first elector to be only the second in the party: it was more for his dignity to become a Calvinist: he would be the head of that party: it would give him a great interest in Switzerland, and make the huguenots of France and in the Netherlands depend on him. He was by that determined

* It is plain here must be meant by *king* the king of France.

to declare for the Helvetian confession. But upon the ruin of his family the duke of Newburgh had an interview with the elector of Brandenburgh about their concerns in Juliers and Cleves: and he persuaded that elector to turn Calvinist; for since their family was fallen, nothing would more contribute to raise the other than the espousing that side, which would naturally come under his protection: but he added, that for himself he had turned papist since his little principality lay so near both Austria and Bavaria. This that elector told with a sort of pleasure, when he made it appear that other princes had no more sense of religion than he himself had.

Other circumstances concurred to make king James's reign inglorious. The States having borrowed great sums of money of queen Elizabeth, they gave her the Brill and Flushing, with some other places of less note, in pawn till the money should be repaid. Soon after his coming to the crown of England he entered into secret treaties with Spain, in order to the forcing the States to a peace: one article was, that if they were obstinate he would deliver these places to the Spaniards. When the truce was made, Barnevelt, though he had promoted it, yet knowing the secret article, he saw they were very unsafe while the keys of Holland and Zealand were in the hands of a prince, who might perhaps sell them, or make an ill use of them: so he persuaded the States to redeem the mortgage by repaying the money that England had lent, for which these places were put into their hands: and he came over himself to treat about it. King James, who was profuse upon his favourites and servants, was delighted with the prospect of so much money; and immediately, without calling a parliament to advise with them about it, he did yield to the proposition. So the money was paid, and the places were evacuated. But his profuseness drew two other things upon him, which broke the whole authority of the crown, and the dependence of the nation upon it. The crown had a great estate over all England, which was all let out upon leases for years, and a small rent was reserved. So most of the great families of the nation were the tenants of the crown, and a great many boroughs were depending on the estates so held. The renewal of these leases brought in fines to the crown, and to the great officers: besides that the fear of being denied a renewal kept all in a dependence on the crown. King James obtained of his parliament a power of granting, that is selling, those estates for ever, with the reserve of the old quit-rent: and all the money raised by this was profusely squandered away. Another main part of the regal authority was the wards, which anciently the crown took into its own management. Our kings were, according to the first institution, the guardians of the wards. They bred them up in their courts, and disposed of them in marriage as they thought fit. Afterwards they compounded, or forgave them, or gave them to some branches of the family, or to provide for the younger children. But they proceeded in this very gently: and the chief care after the reformation was to breed the wards protestants. Still all were under a great dependence by this means. Much money was not raised this way; but families were often at mercy, and were used according to their behaviour. King James granted these generally to his servants and favourites; and they made the most of them. So that what was before a dependence on the crown, and was moderately compounded for, became then a most exacting oppression, by which several families were ruined. This went on in king Charles's time in the same method. Our kings thought they gave little when they disposed of a ward, because they made little of them. All this raised such an outcry, that Mr. Pierpoint at the restoration gathered so many instances of these, and represented them so effectually to that house of commons that called home king Charles the second, that he persuaded them to redeem themselves by an offer of excise, which indeed produces a much greater revenue, but took away the dependence in which all families were held by the dread of leaving their heirs exposed to so great a danger. Pierpoint valued himself to me upon this service he did his country, at a time when things were so little considered on either hand, that the court did not seem to apprehend the value of what they parted with, nor the country of what they purchased *.

* Mr. Pierpoint seems to have arrogated too much to himself, when he considered he was the means of obtaining the abolition of the Court of Wards. From the journals of the house of commons, it appears his part of the transaction was only that of a general supporter of the abolition. He was not even the originator of the proposition that the revenue to the crown in exchange for it should be secured by an excise duty upon ale, &c. Sir

Besides these public actings king James suffered much in the opinion of all people by his strange way of using one of the greatest men of that age, sir Walter Raleigh; against whom the proceedings were at first much censured, but the last part of them was thought both barbarous and illegal. The whole business of the earl of Somerset's rise and fall, of the countess of Essex and Overbury, the putting the inferior persons to death for that infamous poisoning, and the sparing the principals, both the earl of Somerset and his lady, were so odious and inhuman, that it quite sunk the reputation of a reign, that on many other accounts was already much exposed to contempt and censure; which was the more sensible, because it succeeded such a glorious and happy one. King James in the end of his reign was become weary of the duke of Buckingham, who treated him with such an air of insolent contempt, that he seemed at last resolved to throw him off, he could not think of taking the load of government on himself, and so resolved to bring the earl of Somerset again into favour, as that lord reported it to some from whom I had it. He met with him in the night in the gardens at Theobalds; two bed-chamber men were only in the secret: the king embraced him tenderly and with many tears: the earl of Somerset believed the secret was not well kept; for soon after the king was taken ill with some fits of an ague and died of it. My father was then in London, and did very much suspect an ill practice in the matter; but perhaps doctor Craig, my mother's uncle, who was one of the king's physicians, possessed him with these apprehensions; for he was disgraced for saying he believed that the king was poisoned *. It is certain no king could die less lamented or less esteemed than he was. This sunk the credit of the bishops of Scotland, who as they were his creatures, so they were obliged to a great dependence on him, and were thought guilty of gross and abject flattery towards him. His reign in England was a continued course of mean practices. The first condemnation of sir Walter Raleigh was very black; but the executing him after so many years, and after an employment that had been given him, was counted a barbarous sacrificing him to the Spaniards. The rise and fall of the earl of Somerset, and the swift progress of the duke of Buckingham's greatness, were things that exposed him to the censure of all the world. I have seen the originals of about twenty letters he wrote to the prince and that duke while they were in Spain, which shew a meanness as well as a fondness that render him very contemptible †. The great figure the crown of England had made in queen Elizabeth's time, who had rendered herself the arbiter of christendom, and was the wonder of the age, was so much eclipsed, if not quite darkened during this reign, that king James was become the scorn of the age; and while hungry writers flattered him out of all measure at home, he was despised by all abroad as a pedant without true judgment, courage, or steadiness, subject to his favourites, and delivered up to the counsels or rather the corruption of Spain.

Henry Cholmley proposed the abolition, (Nov. 19, 1660) and Sir Samuel Jones moved that the recompensing revenue be raised by the excise. The grievance had been long felt, and as early as 1620 the abolition had been proposed, though without success. Sir Edward Coke, after detailing the proposition and its failure, adds, "We thought good to remember this, hoping (hope is the dream of a waking man) that so good a motion will some time (by the grace of God) by authority of parliament, one way or other take effect and be established." (4th Institute, 203.) His hope was accomplished during the interregnum, and even before, in the year 1645, during the contest between Charles and the parliament, These being considered illegal transactions, the act introduced by sir H. Cholmley, (12 Car. 2, c. 24,) completed the abolition.

* A curious tract was published in 1642, entitled "Strange Apparitions, &c.," pretending to be a conversation between the ghosts of king James, the duke of Buckingham, the marquis of Hamilton, and Dr. George Eglisham, the king's physician. In this the duke is openly charged with murdering the king, and that Dr. Eglisham had accused him of the crime to king Charles and the parliament, but was, in consequence, obliged to fly into Holland, where he was murdered. He charged the duke and his mother with giving the king a white powder, and applying a plaister to his breast which caused his death. Sir A. Weldon, in his "Court and Character of king James," says that the king on his death-bed declared that it was the plaister and powder had injured him. Dr. Goodman in his "Aulicus Coquinariæ," though he denies that the plaister was poisoned, mentions nothing concerning the powder, and confesses that the physicians Dr. Lister, Dr. Chambers, and others, "were much offended that any one durst assume such boldness without their consents," as to apply a plaister, and immediately removed it. Dr. Ramsay is said to have openly accused the duke of poisoning the king, before a committee of the house of commons (sir E. Peyton's "Divine Catastrophe of the House of Stuart.") These were all contemporary and variously biassed authorities; as such they are none of them entitled to implicit confidence. Wilson, also a contemporary and more unprejudiced, did not know to which opinion to incline.—*Memoirs of Selden and his Times*, p. 25.

† Many of these addressed to "Baby Charles," and his "Dog Steenie," are among the MSS. in the British Museum. The following note to the king will be sufficient to show the ridiculous familiarity they practised towards each other:—

The puritans gained credit, as the king and the bishops lost it. They put on external appearances of great strictness and gravity: they took more pains in their parishes than those who adhered to the bishops, and were often preaching against the vices of the court; for which they were sometimes punished, though very gently, which raised their reputation, and drew presents to them that made up their sufferings abundantly. They begun some particular methods of getting their people to meet privately with them: and in these meetings they gave great vent to extemporary prayer, which was looked on as a sort of inspiration: and by these means they grew very popular. They were very factious and insolent; and both in their sermons and prayers were always mixing severe reflections on their enemies. Some of them boldly gave out very many predictions; particularly two of them who were held prophets, Davison and Bruce. Some of the things that they foretold came to pass: but my father, who knew them both, told me of many of their predictions, that he himself heard them throw out, which had no effect: but all these were forgotten, and if some more probable guessings which they delivered as prophecies were accomplished, these were much magnified. They were very spiteful against all those who differed from them; and were wanting in no methods that could procure them either good usage, or good presents. Of this my father had great occasion to see many instances: for my great grand-mother, who was a very rich woman, and much engaged to them, was most obsequiously courted by them. Bruce lived concealed in her house for some years; and they all found such advantages in their submissions to her, that she was counted for many years the chief support of the party; her name was Rachel Arnot. She was daughter to sir John Arnot, a man in great favour, and lord treasurer's deputy. Her husband, Johnston, was the greatest merchant at that time; and left her an estate of 2000 pounds a year, to be disposed of among his children as she pleased: and my father marrying her eldest grand-child, saw a great way into all the methods of the puritans.

Gowry's conspiracy was by them charged on the king, as a contrivance of his to get rid of that earl, who was then held in great esteem; but my father, who had taken great pains to inquire into all the particulars of that matter, did always believe it was a real conspiracy. One thing, which none of the historians have taken any notice of, and might have induced the earl of Gowry to have wished to put king James out of the way, but in such a disguised manner that he should seem rather to have escaped out of a snare himself than to have laid one for the king, was this: upon the king's death he stood next to the succession to the crown of England; for king Henry the seventh's daughter that was married to king James the fourth did after his death marry Douglas, earl of Angus: but they could not agree: so a pre-contract was proved against him: upon which, by a sentence from Rome, the marriage was voided, with a clause in favour of the issue since born under a marriage *de facto* and *bona fide*. Lady Margaret Douglas was the child so provided for. I did peruse the original bull confirming the divorce. After that the queen dowager married one Francis Steward, and had by him a son, made lord Methuen by king James the fifth. In the patent he is called *Frater noster uterinus*. He had only a daughter, who was mother, or grandmother, to the earl of Gowry: so that by this he might be glad to put the king out of the way, so that he might stand next to the succession of the crown of England. He had a brother then a child, who when he grew up and found he could not carry the name of Ruthven, which, by an act of parliament made after this conspiracy, none might carry, he went and lived beyond sea; and it was given out that he had the philosopher's stone. He had two sons who died without issue, and one daughter married to sir Anthony Vandyke, the famous picture drawer, whose children, according to his pedigree, stood very

"Dear Dad and Gossip,

"The chiefest advertisement of all we omitted in our other letter, which was to let you know how we like your daughter, his wife, and my lady mistress. Without flattery, I think there is not a sweeter creature in the world. Baby Charles himself, is so touched at the heart, that he confesses all he ever yet saw is nothing to her, and swears that if he want her, there shall be blows. I shall lose no time in hastening the conjunction, in which I shall please him, her, you, and myself most of all, in thereby getting liberty to make the speedier haste to lay myself at your feet, for never none longed more to be in the arms of his mistress. So, craving your blessing, I end,

"Your humble slave and dog,

"Steenie.

"I have inclosed two or three letters of the Conde of Olivares to Gundemar, whereby you will judge of his kind carefulness of your son."

(Endorsed,

"For the best of Masters."

This was written from Madrid, in the year 1623. It is preserved among the Harleian Manuscripts.

near to the succession of the crown. It was not easy to persuade the nation of the truth of that conspiracy; for eight years before that time king James, on a secret jealousy of the earl of Murray, then esteemed the handsomest man of Scotland, set on the marquis of Huntly, who was his mortal enemy, to murder him; and by a writing all in his own hand he promised to save him harmless for it. He set the house in which he was on fire: and the earl flying away was followed and murdered, and Huntley sent Gordon of Buckey with the news to the King; soon after, all who were concerned in that vile fact were pardoned, which laid the king open to much censure. And this made the matter of Gowry to be the less believed.

When king Charles succeded to the crown he was at first thought favourable to the puritans; for his tutor and all his court were of that way; and Dr. Preston, then the head of the party, came up in the coach from Theobalds to London with the king and the duke of Buckingham; which being against the rules of the court gave great offence; but it was said, the king was so overcharged with grief, that he wanted the comfort of so wise and so great a man. It was also given out that the duke of Buckingham offered Dr. Preston the great seal; but he was wiser than to accept of it *. I will go no further into the beginning of that reign with relation to English affairs, which are fully opened by others. Only I will tell one particular which I had from the earl of Lothian, who was bred up in the court, and whose father, the earl of Ancram, was gentleman of the bedchamber, though himself was ever much hated by the king. He told me, that king Charles was much offended with king James's light and familiar way, which was the effect of hunting and drinking, on which occasions he was very apt to forget his dignity, and to break out into great indecencies; on the other hand the solemn gravity of the court of Spain was more suited to his own temper, which was sullen even to a moroseness. This led him to a grave reserved deportment, in which he forgot the civilities and the affability that the nation naturally loved, to which they had been long accustomed; nor did he in his outward deportment take any pains to oblige any persons whatsoever; so far from that, he had such an ungracious way of shewing favour, that the manner of bestowing it was almost as mortifying as the favour was obliging. I turn now to the affairs of Scotland, which are but little known.

The king resolved to carry on two designs that his father had set on foot, but had let the prosecution of them fall in the last years of his reign. The first of these was about the recovery of the tithes and church lands; he resolved to prosecute his father's revocation, and to void all the grants made in his minority, and to create titular abbots as lords of

* When the duke of Buckingham found his influence with king James declining, he endeavoured to strengthen his interest and power by courting the anti-episcopalians. To effect this he actually made overtures to them for a union of their efforts to subvert the church. Dr. Preston held conferences with him upon the subject, and Hacket has related the arguments he employed to confirm the duke in his purposes. The lord keeper Williams had imperfect information of these projects, and addressed himself seriously to thwart them. He had an interview with Dr. Preston, and tried, though in vain, to discover the whole of the designs. When all other addresses had failed, he attempted to overcome him by an appeal to his interest and ambition, offering to resign the deanery of Westminster in his favour, but, as Mr. Hacket observes, "the wily doctor did not believe him: for he came to cheat, not to be cheated; so they parted unkindly." The lord keeper then had a conference with the duke, and the latter did not deny that he entertained the project of establishing a presbyterial form of church government, adding, "I know not how you bishops may struggle, but I am much deluded if a great part of the knights and burgesses would not be glad to see the alteration." But the lord keeper having a list of the house in his pocket, went through it *seriatim*, and apparently convinced him of his error in this respect; as well as diverted him from his anti-episcopal design. Yet the duke continued the patron of Dr. Preston, and even had him, as stated in the text, closely intimate with himself, and the next monarch, Charles the first. There is reason to think that Buckingham was endeavouring to overreach the presbyterians, by this apparent leaning to their leader, thus obtaining their support whilst it was desirable, and then to discard them. Dr. Preston, however, was as subtle a politician as the duke, and only appeared to be deceived for the purpose of advancing the interests of his sect. He used to acknowledge to his friends, that he used the duke as a tool, and found him to be as vile and profligate as any man could be.

Dr. Preston was a native of Northamptonshire. He became successively D. D., fellow of Queen's College, Cambridge, chaplain to prince Charles, and master of Emanuel College Cambridge. He was born in 1587, and died in 1628. He was highly celebrated as a logician; and this endowment first obtained him the patronage of king James. In the course of one of his public disputations, he wittily observed, that a hound made syllogisms. "An enthymeme, as he said, is a lawful syllogism, but dogs can make them. A hound has the major proposition in his mind. The hare is gone either this, or that way; and smells out the minor with his nose, viz., she is not gone that way; and follows the conclusion.—Ergo, this way—with open mouth." The king who delighted both in logic and hunting was highly pleased with this illustration; yet the conceit was not new, for it was borrowed from Montaigne, *Hacket's Life of L. K. Williams*, pt. i. 204—*Lansdowne MSS.* 932, 88—*D'Israeli's Curios. of Literature, second series*, iii. 347.—*Clarke's Lives.*—*Fuller's Worthies*, &c.

parliament, but lords, as bishops, only for life. And that the two great families of Hamilton and Lenox might be good examples to the rest of the nation, he by a secret purchase, and with English money, bought the abbey of Aberbroth of the former, and the lordship of Glasgow of the latter, and gave these to the two archbishoprics. These lords made a shew of zeal after a good bargain, and surrendered them to the king. He also purchased several estates of less value to the several sees; and all men who pretended to favour at court, offered their church lands to sale at a low rate.

In the third year of his reign the earl of Nithisdale, then believed a papist, which he afterwards professed, having married a niece of the duke of Buckingham's, was sent down with a power to take the surrender of all church lands, and to assure all who did readily surrender, that the king would take it kindly, and use them all very well, but that he would proceed with all rigour against those who would not submit their rights to his disposal. Upon his coming down, those who were most concerned in those grants met at Edinburgh, and agreed, that when they were called together, if no other argument did prevail to make the earl of Nithisdale desist, they would fall upon him and all his party in the old Scottish manner, and knock them on the head. Primrose told me one of these lords, Belhaven of the name of Douglas, who was blind, bid them set him by one of the party, and he would make sure of one. So he was set next the earl of Dumfries: he was all the while holding him fast: and when the other asked him what he meant by that, he said, ever since the blindness was come on him he was in such fear of falling, that he could not help the holding fast to those who were next to him: he had all the while a poniard in his other hand, with which he had certainly stabbed Dumfries if any disturbance had happened. The appearance at that time was so great, and so much heat was raised upon it, that the earl of Nithisdale would not open all his instructions, but came back to court, looking on the service as desperate: so a stop was put to it for some time.

In the year 1633, the king came down in person to be crowned. In some conventions of the states that had been held before that, all the money that the king had asked was given; and some petitions were offered setting forth grievances, which those whom the king employed had assured them should be redressed; but nothing was done, and all was put off till the king should come down in person. His entry and coronation were managed with such magnificence, that the country suffered much by it, all was entertainment and show. When the parliament sat, the lords of the articles prepared an act declaring the royal prerogative, as it had been asserted by law, in the year 1606; to which an addition was made of another act passed in the year 1609, by which king James was empowered to prescribe apparel to churchmen with their own consent. This was a personal thing to king James, in consideration of his great learning and experience, of which he had made no use during the rest of his reign. And in the year 1617, when he held a parliament there in person, an act was prepared by the lords of the articles, authorising all things that should thereafter be determined in ecclesiastical affairs by his majesty, with consent of a competent number of the clergy, to have the strength and power of a law. But the king either apprehended that great opposition would be made to the passing the act, or that great trouble would follow on the execution of it. So when the rubric of the act was read, he ordered it to be suppressed, though passed in the articles. In this act of 1633 these acts of 1606 and 1609 were drawn into one. To this great opposition was made by the earl of Rothes, who desired the acts might be divided. But the king said it was now one act, and he must either vote for it, or against it. He said he was for the prerogative as much as any man, but that addition was contrary to the liberties of the church, and he thought no determination ought to be made in such matters without the consent of the clergy, at least without their being heard. The king bid him argue no more, but give his vote; so he voted not content. Some few lords offered to argue, but the king stopped them, and commanded them to vote. Almost the whole commons voted in the negative; so that the act was indeed rejected by the majority, which the king knew; for he had called for a list of the numbers, and with his own pen had marked every man's vote: yet the clerk of register, who gathers and declares the votes, said it was carried in the affirmative. The earl of Rothes affirmed it went for the negative: so the king said, the clerk of register's declaration must be held good, unless the earl of Rothes would go to the

bar and accuse him of falsifying the record of parliament, which was capital: and in that case, if he should fail in the proof, he was liable to the same punishment: so he would not venture on that. Thus the act was published, though in truth it was rejected. The king expressed a high displeasure at all who had concurred in that opposition. Upon that the lords had many meetings. They reckoned that now all their liberties were gone, and a parliament was but a piece of pageantry, if the clerk of register might declare as he pleased how the vote went, and that no scrutiny were allowed. Upon that Hague the king's solicitor, a zealous man of that party, drew a petition to be signed by the lords, and to be offered by them to the king, setting forth all their grievances and praying redress: he shewed this to some of them, and among others to the lord Balmerinoch, who liked the main of it, but was for altering it in some particulars: he spoke of it to the earl of Rothes, in the presence of the earl of Cassilis and some others: none of them approved of it. The earl of Rothes carried it to the king; and told him, that there was a design to offer a petition in order to the explaining and justifying their proceedings, and that he had a copy to shew him: but the king would not look upon it, and ordered him to put a stop to it, for he would receive no such petition. The earl of Rothes told this to Balmerinoch: so the thing was laid aside; only he kept a copy of it, and interlined it in some places with his own hand. While the king was in Scotland he erected a new bishopric at Edinburgh, and made one Forbes bishop, who was a very learned and pious man; he had a strange faculty of preaching five or six hours at a time: his way of life and devotion was thought monastic, and his learning lay in antiquity; he studied to be a reconciler between papists and protestants, leaning rather to the first, as appears by his *Considerationes Modestæ*. He was a very simple man, and knew little of the world; so he fell into several errors in conduct, but died soon after suspected of popery, which suspicion was increased by his son's turning papist. The king left Scotland much discontented, but resolved to prosecute the design of recovering the church lands: and sir Thomas Hope, a subtle lawyer, who was believed to understand that matter beyond all the men of his profession, though in all respects he was a zealous puritan, was made the king's advocate, upon his undertaking to bring all the church lands back to the crown; yet he proceeded in that matter so slowly, that it was believed he acted in concert with the party that opposed it *. Enough was already done to alarm all that were possessed of church lands; and they to engage the whole country in their quarrel took care to infuse it into all people, but chiefly into the preachers, that all was done to make way for popery. The winter after the king was in Scotland, Balmerinoch was thinking how to make the petition more acceptable: and in order to that, he shewed it to one Dunmoor, a lawyer in whom he trusted, and desired his opinion of it, and suffered him to carry it home with him, but charged him to shew it to no person, and to take no copy of it. He shewed it, under a promise of secrecy, to one Hay of Naughton, and told him from whom he had it. Hay looking on the paper and seeing it a matter of some consequence, carried it to Spotiswood, archbishop of St. Andrew's; who, apprehending it was going about for hands, was alarmed at it, and went immediately to London, beginning his journey as he often did on a Sunday, which was a very odious thing in that country. There are laws in Scotland loosely worded, that make it capital to spread lies of the king or his government, or to alienate his subjects from him. It was also made capital to know of any that do it, and not discover them: but this last was never once put in execution. The petition was thought within this act: so an order was sent down for committing lord Balmerinoch. The reason of it being for some time kept secret, it was thought, was because of his vote in parliament. But after some consultation, a special commission was sent down

* The father of sir Thomas Hope was an Edinburgh merchant, trading extensively with Holland, in which country he subsequently resided, and married a lady, named Jacqueline de Tott. Another son is believed to have been the founder of the celebrated mercantile establishment of the Hopes at Amsterdam.

The appointment of sir Thomas, to be the king's advocate, and his promotion to the dignity of a baronetcy took place in 1627. He certainly was attached to the covenanters, who consulted him unreservedly. In despite of this, either to gain him as a friend, or to render him suspected by the party to which he adhered, the king appointed him a commissioner to the general assembly in 1643.

He was an able lawyer, and his works, relative to the laws of Scotand, are still valued. His youngest son, James, was ancestor of the Hopetoun family. He died in the year 1646.—*Gen. Biograph. Dict. ac.*

for the trial. In Scotland there is a court for the trial of peers, distinct from the jury, who are to be fifteen, and the majority determine the verdict: the fact being only referred to the jury, or assize as they call it, the law is judged by the court: and if the majority of the jury are peers the rest may be gentlemen. At this time a private gentleman of the name of Steward was become so considerable that he was raised by several degrees to be made earl of Traquair and lord treasurer, and was in great favour; but suffered afterwards such a reverse of fortune, that I saw him so low that he wanted bread, and was forced to beg; and it was believed died of hunger. He was a man of great parts, but of too much craft: he was thought the capablest man for business, and the best speaker in that kingdom *. So he was charged with the care of lord Balmerinoch's trial: but when the ground of the prosecution was known, Hague, who drew the petition, wrote a letter to the lord Balmerinoch, in which he owned that he drew the petition without any direction or assistance from him: and upon that he went over to Holland. The court was created by a special commission; in the naming of judges there appeared too visibly a design to have that lord's life, for they were either very weak or very poor. Much pains were taken to have a jury; in which so great partiality appeared, that when the lord Balmerinoch was upon his challenges, and excepted to the earl of Dumfries, for his having said that if he were of his jury, though he were as innocent as St. Paul, he would find him guilty; some of the judges said, that was only a rash word: yet the king's advocate allowed the challenge, if proved, which was done. The next called on was the earl of Lauderdale, father to the duke of that title: with him the lord Balmerinoch had been long in enmity: yet, instead of challenging him, he said he was *omni exceptione major*. It was long considered upon what the prisoner should be tried: for his hand interlining the paper, which did plainly soften it, was not thought evidence that he drew it, or that he was accessory to it: and they had no other proof against him. Nor could they from that infer that he was the divulger, since it did appear it was only shewed by him to a lawyer for counsel. So it was settled on to insist on this, that the paper tended to alienate the subjects from their duty to the king, and that he, knowing who was the author of it, did not discover him; which by law was capital. The court judged the paper to be seditious, and to be a lie of the king and his government: the other point was clear, that he knowing the author did not discover him. He pleaded for himself, that the statute for discovery had never been put in execution; that it could never be meant but of matters that were notoriously seditious; that till the court judged so he did not take this paper to be of that nature, but considered it as a paper full of duty, designed to set himself and some others right in the king's opinion; that upon the first sight of it, though he approved of the main, yet he disliked some expressions in it; that he communicated the matter to the earl of Rothes, who told the king of the design; and that, upon the king's saying he would receive no such petition, it was quite laid aside: this was attested by the earl of Rothes. A long debate had been much insisted on, whether the earl of Traquair or the king's ministers might be of the jury or not: but the court gave it in their favour. When the jury was shut up, Gordon of Buckey, who was one of them, being then very ancient, who forty-three years before had assisted in the murder of the earl of Murray, and was thought upon this occasion a sure man, spoke first of all, excusing his presumption in being the first that broke the silence. He desired they would all consider what they were about: it was a matter of blood, and they would feel the weight of that as long as they lived: he had in his youth

* No man went through greater, or more undeserved vicissitudes than this persecuted nobleman. Naturally talented, and liberally educated, he appeared to such advantage as a member of the Scotch parliament, that, although a young man, James the first knighted him, and added him to his privy council. With Charles the first he was as great a favourite, as he was with James, and as a mark of his esteem in 1633, from being sir John Stewart, he created him lord Stewart of Traquair, lord Linton and Coverston, and finally earl of Traquair. In 1642 he was impeached, by the Scotch parliament, of treason, but as the king knew that his crime was a firm adherence to the interests of the monarchy, he granted the earl a pardon, recording in it his opinion of the earl's great abilities, and perfect integrity. When the king was a prisoner in the Isle of Wight the earl levied a regiment of horse at his own expense, and with his son, lord Linton, fought at their head in the battle of Preston. They were here both taken prisoners. For four years he was confined in Warwick Castle, by order of the English parliament. It would have been a mercy to retain him in prison, for when he was liberated, being deprived of all his property, he lingered a few years, and then died in extreme misery, if not of actual hunger. This was in the year 1659, when he was sixty years old. As a statesman, sir Philip Warwick, who knew him well, thinks he was too changeable.—*Warwick's Memoirs*, 137.

been drawn in to shed blood, for which he had the king's pardon, but it cost him more to obtain God's pardon: it had given him many sorrowful hours both day and night: and as he spoke this, the tears ran over his face. This struck a damp on them all. But the earl of Traquair took up the argument; and said, they had it not before them whether the law was a hard law or not, nor had they the nature of the paper before them, which was judged by the court to be leasing-making; they were only to consider, whether the prisoner had discovered the contriver of the paper or not. Upon this the earl of Lauderdale took up the argument against him, and urged, that severe laws never executed were looked on as made only to terrify people, that though after the court's having judged the paper to be seditious it would be capital to conceal the author, yet before such judgment, the thing could not be thought so evident that he was bound to reveal it. Upon these heads those lords argued the matter many hours: but when it went to the vote seven acquitted, but eight cast him: so sentence was given. Upon this many meetings were held: and it was resolved either to force the prison to set him at liberty, or if that failed, to revenge his death both on the court and on the eight jurors; some undertaking to kill them, and others to burn their houses. When the earl of Traquair understood this, he went to court, and told the king that the lord Balmerinoch's life was in his hands, but the execution was in no sort advisable: so he procured his pardon, for which the party was often reproached with his ingratitude: but he thought he had been much wronged in the prosecution, and so little regarded in the pardon, that he never looked on himself as under any obligation on that account. My father knew the whole steps of this matter, having been the earl of Lauderdale's most particular friend: he often told me, that the ruin of the king's affairs in Scotland was in a great measure owing to that prosecution; and he carefully preserved the petition itself, and the papers relating to the trial; of which I never saw any copy besides those which I have. And that raised in me a desire of seeing the whole record, which was copied for me, and is now in my hands. It is a little volume, and contains, according to the Scotch method, the whole abstract of all the pleadings, and all the evidence that was given; and is indeed a very noble piece, full of curious matter *.

When the design of recovering the tithes went on, though but slowly, another design made a greater progress. The bishops of Scotland fell on the framing of a liturgy and a body of canons for the worship and government of that church. These were never examined in any public assembly of the clergy: all was managed by three or four aspiring bishops Maxwell†, Sidserfe, Whitford, and Bannatine, the bishops of Ross, Galloway, Dunblane, and Aberdeen. Maxwell did also accuse the earl of Traquair, as cold in the king's service, and as managing the treasury deceitfully; and he was aspiring to that office. Spotiswood, archbishop of St. Andrew's, then lord chancellor, was a prudent and mild man, but of no great decency in his course of life. The earl of Traquair, seeing himself so pushed at, was more earnest than the bishops themselves in promoting the new model of worship and discipline; and by that he recovered the ground he had lost with the king, and with archbishop Laud: he also assisted the bishops in obtaining commissions, subaltern to the high-commission court, in their several dioceses, which were thought little different from the courts of inquisition. Sidserfe set this up in Galloway: and a complaint being made in council of his proceedings, he gave the earl of Argyle the lie in full council. He was after all a very learned and good man, but strangely heated in those matters. And they all were so lifted up with the king's zeal, and so encouraged by archbishop Laud, that they lost all temper; of which I knew Sidserfe made great acknowledgments in his old age.

* The whole of the proceedings and pleadings are in Rushworth's Collections, ii. 281, and in the State Trials, i

† Dr. Maxwell, Bishop of Ross, was the chief promoter of this tyrannical measure. He was one of those insignificant characters who, like gnats, would never be noticed but for the mischief they occasion. It had been wilfully represented by him, and some of his brethren who were equally base, that the nation was in favour of a Liturgy. Nothing could be more contrary to the fact, and it is demonstrative, how careless and incapable were the ministers of Charles, that they did not inquire more fully before they entered upon so important a measure. Even Clarendon reprobates their conduct; and acknowledges that some of the bishops were unacquainted with the Liturgy, and in composing it the Scotch clergymen were not at all consulted. (Hist. of Rebellion, i. 86, fol. ed.) The same authority, and our author in his Memoirs of the Dukes of Hamilton, relates fully with what determined opposition it was received.

But the unaccountable part of the king's proceedings was, that all this while, when he was endeavouring to recover so great a part of the property of Scotland as the church lands and tithes were, from men that were not like to part with them willingly, and was going to change the whole constitution of that church and kingdom, he raised no force to maintain what he was about to do, but trusted the whole management to the civil execution. By this all people saw the weakness of the government, at the same time that they complained of its rigour. All that came down from court complained of the king's inexorable stiffness, and of the progress popery was making, of the queen's power with the king, of the favour shewed the pope's nuncios, and of the many proselytes who were daily falling off to the church of Rome. The earl of Traquair infused this more effectually, though more covertly, than any other man could do: and when the country formed the first opposition they made to the king's proclamations, and protested against them, he drew the first protestation, as Primrose assured me; though he designed no more than to put a stop to the credit the bishops had, and to the fury of their proceedings: but the matter went much farther than he seemed to intend: for he himself was fatally caught in the snare laid for others. A troop of horse and a regiment of foot had prevented all that followed, or rather had, by all appearance, established an arbitrary government in that kingdom: but to speak in the language of a great man, those who conducted matters at that time, had as little of the prudence of the serpent as of the innocence of the dove: and, as my father often told me, he and many others who adhered in the sequel firmly to the king's interest, were then much troubled at the whole conduct of affairs, as being neither wise, legal, nor just. I will go no farther, in opening the beginnings of the troubles of Scotland. Of these a full account will be found in the memoirs of the dukes of Hamilton. The violence with which that kingdom did almost unanimously engage against the administration may easily convince one, that the provocation must have been very great to draw on such an entire and vehement concurrence against it.

After the first pacification, upon the new disputes that arose, when the earls of Lowdun and Dunfermline were sent up with the petition from the covenanters, the lord Saville came to them, and informed them of many particulars, by which they saw the king was highly irritated against them: he took great pains to persuade them to come with their army into England. They very unwillingly harkened to that proposition, and looked on it as a design from the court to ensnare them, making the Scots invade England, by which this nation might have been provoked to assist the king to conquer Scotland. It is true, he hated the earl of Strafford so much, that they saw no cause to suspect him: so they entered into a treaty with him about it. The lord Saville assured them, he spake to them in the name of the most considerable men in England; and he shewed them an engagement under their hands to join with them, if they would come into England, and refuse any treaty but what should be confirmed by the Parliament of England. They desired leave to send this paper into Scotland, to which after much seeming difficulty he consented: so a cane was hollowed, and this was put within it; and one Frost, afterwards secretary to the committee of both kingdoms, was sent down with it as a poor traveller. It was to be communicated only to three persons, the earls of Rothes and Argyle, and to Waristoun, the three chief confidants of the covenanters. The earl of Rothes was a man of pleasure, but of a most obliging temper; his affairs were low: Spotiswood had once made the bargain between the king and him before the troubles, but the earl of Traquair broke it, seeing he was to be raised above himself. The earl of Rothes had all the arts of making himself popular; only there was too much levity in his temper, and too much liberty in his course of life. The earl of Argyle was a more solemn sort of a man, grave and sober, free of all scandalous vices, of an invincible calmness of temper, and a pretender to high degrees of piety: he was much set on raising his own family to be a sort of king in the Highlands.

Waristoun was my own uncle. He was a man of great application, could seldom sleep above three hours in the twenty-four. He had studied the law carefully, and had a great quickness of thought, with an extraordinary memory. He went into very high notions of lengthened devotions, in which he continued many hours a day: he would often pray in his family two hours at a time, and had an unexhausted copiousness that way. What thought soever struck his fancy during those effusions, he looked on it as an answer of prayer. and

was wholly determined by it. He looked on the covenant as the setting Christ on his throne, and so was out of measure zealous in it. He had no regard to the raising himself or his family, though he had thirteen children: but presbytery was to him more than all the world. He had a readiness and vehemence of speaking that made him very considerable in public assemblies: and he had a fruitful invention; so that he was at all times furnished with expedients. To these three only this paper was to be shewed upon an oath of secrecy; and it was to be deposited in Waristoun's hands. They were only allowed to publish to the nation, that they were sure of a very great and unexpected assistance, which though it was to be kept secret would appear in due time. This they published; and it was looked on as an artifice to draw in the nation: but it was afterwards found to be a cheat indeed, but a cheat of lord Saville's, who had forged all these subscriptions *.

The Scots marched with a very sorry equipage: every soldier carried a week's provision of oatmeal; and they had a drove of cattle with them for their food. They had also an invention of guns of white iron tinned, and done about with leather and corded, so that they could serve for two or three discharges. These were light, and were carried on horses. And when they came to Newburn, the English army that defended the ford was surprised with a discharge of artillery: some thought it magic; and all were put in such disorder that the whole army did run with so great precipitation, that sir Thomas Fairfax, who had a command in it, did not stick to own that till he passed the Tees his legs trembled under him. This struck many of the enthusiasts on the king's side, as much as it exalted the Scots; who were next day possessed of Newcastle, and so were masters not only of Northumberland and the bishopric of Duresme (Durham), but of the collieries; by which, if they had not been in a good understanding with the city of London, they would have distressed them extremely: but all the use the city made of this was, to raise a great outcry, and to complain of the war, since it was now in the power of the Scots to starve them. Upon that petitions were sent from the city and from some counties to the king, praying a treaty with the Scots. The lord Wharton and the lord Howard of Escrick undertook to deliver some of these; which they did, and were clapt up upon it. A council of war was held; and it was resolved on, as the lord Wharton told me, to shoot them at the head of the army, as movers of sedition. This was chiefly pressed by the earl of Strafford. Duke Hamilton spoke nothing till the council rose; and then he asked Strafford, if he was sure of the army, who seemed surprised at the

* Thomas Saville, successively created Baron Saville, and Earl of Sussex, by king Charles, was one of the most despicable characters that occurs in our national history. In 1642, for not leaving the king when commanded by the parliament, he was forbidden to resume his seat during the session, and eventually he was voted an enemy of the state. So far all was well, for, if he adhered to the king conscientiously, these marks of the anger of his opponents were honourable to him rather than disgraceful; but the king had soon cause to suspect his fidelity. The proofs against him were sufficient to warrant his imprisonment, and created such contempt for him in the king's mind, that he sent him word by lord Digby, "that his pleasure was, that he should neither come into his presence, or speak to any lord, or go to the prince, or stay at Oxford." He requested permission to retire to the continent, but instead of adopting this honourable retirement, he escaped to the quarters of the parliament army (Parliament History, xiii. 420), and voluntarily swore that he came and submitted to the power of the parliament without having any design to its prejudice, and without any countenance with the king or his partizans. Yet within two months he was committed to the Tower upon strong suspicion of plotting against the parliament interests. To extenuate himself, he brought false charges against Mr. Hollles and Mr. Whitelocke, but these being disproved, he died as he had lived, despised by all who had known him. Lord Clarendon says of him, "The Lord Saville was likewise of the council, being first controller, and then treasurer of the household, in recompence of his discovery of all the treasons and conspiracies, after they had taken effect and could not be punished. He was a man of an ambitious and restless nature; of parts and wit enough, but in his disposition and inclination so false, that he could never be believed or depended upon." Clarendon then states the forgery as related by our author, and adds, "When all this mischief was brought to pass, and he found his credit in the parliament not so great as other men's, he insinuated himself into credit with somebody, who brought him to the king or queen, to whom he confessed all he had done to bring in the Scots, who had conspired with him, and all the secrets he knew, with a thousand protestations, to repair all by future loyalty and service;" for which he was promised a white staff, which the king had then resolved to take from Sir Henry Vane. This promotion he had accordingly; though all his discovery was of no other use than to let the king know many had been false whom he could not punish, and some whom he could not suspect. When the king came to York, where this lord's fortune and interest lay, his reputation was so low, that the gentlemen of interest who wished well to the king's service would not communicate with him; and, after the king's remove from thence, the earl of Newcastle found cause to have such a jealousy of him, that he thought it right to imprison him, and afterwards sent him to Oxford, where he so well purged himself, that he was again restored to his office. But in the end he behaved himself so ill, that the king put him again out of his place, and committed him to prison, and never after admitted him to his presence, nor would any man of quality ever after keep any correspondence with him. (Hist. of Rebellion, ii. 155, fol. ed.)

question: but he, upon inquiry, understood that very probably a general mutiny, if not a total revolt, would have followed, if any such execution had been attempted. This success of the Scots ruined the king's affairs. And by it the necessity of the union of the two kingdoms may appear very evident: for nothing but a superior army, able to beat the Scots, can hinder their doing this at any time: and the seizing the collieries must immediately bring the city of London into great distress. Two armies were now in the north as a load on the king, besides all the other grievances. The lord Saville's forgery came to be discovered. The king knew it; and yet he was brought afterwards to trust him, and to advance him to be earl of Sussex. The king pressed my uncle to deliver him the letter, who excused himself upon his oath; and not knowing what use might be made of it, he cut out every subscription, and sent it to the person for whom it was forged. The imitation was so exact, that every man, as soon as he saw his hand simply by itself, acknowledged that he could not have denied it.

The king was now in great straits; he had laid up 700,000*l.* before the troubles in Scotland began; and yet had raised no guards nor force in England, but trusted a very illegal administration to a legal execution. His treasure was now exhausted; his subjects were highly irritated; the ministry were all frightened, being exposed to the anger and justice of the parliament: so that he had brought himself into great distress, but had not the dexterity to extricate himself out of it. He loved high and rough methods, but had neither the skill to conduct them, nor the height of genius to manage them. He hated all that offered prudent and moderate councils: he thought it flowed from a meanness of spirit, and a care to preserve themselves by sacrificing his authority, or from republican principles: and even when he saw it was necessary to follow such advices, yet he hated those that gave them. His heart was wholly turned to the gaining the two armies. In order to that, he gained the earl of Rothes entirely, who hoped by the king's mediation to have married the countess of Devonshire, a rich and magnificent lady that lived long in the greatest state of any in that age. He also gained the earl of Montrose, who was a young man well learned, who had travelled, but had taken upon him the port of a hero too much. When he was beyond sea he travelled with the earl of Denbigh; and they consulted all the astrologers they could hear of *. I plainly saw the earl of Denbigh relied on what had been told him to his dying day; and the rather because the earl of Montrose was promised a glorious fortune for some time, but all was to be overthrown in conclusion. When the earl of Montrose returned from his travels, he was not considered by the king as he thought he deserved: so he studied to render himself popular in Scotland; and he was the first man in the opposition they made during the first war. He both advised and drew the letter to the king of France, for which the lord Lowdun, who signed it, was imprisoned in the Tower of London. But the earl of Lauderdale, as he himself told me, when it came to his turn to sign that letter, found false French in it; for instead of *rayons de soleil* he had written *raye de soleil*, which in French signifies a sort of fish; and so the matter went no farther at that time; and the treaty came on so soon after, that it was never again taken up. The earl of Montrose was gained by the king at Berwick, and undertook to do great services. He either fancied, or at least he made the king fancy, that he could turn the whole kingdom: yet indeed he could do nothing. He was

* These two noblemen must not be considered as exceptions from the community to which they belonged, for England was never so imbued with superstition as it was during the seventeenth and eighteenth centuries. It was confined to no class or order in society—no grade of rank or education seems to have secured its possessor from the weakness. Charles the first consulted astrologers as guides to his times of action. Cromwell had faith in lucky days—Laud believed in omens, and registered his dreams. Selden thought there was a charm over diseases in the mystic mutterings of Dr. Floyd; the duke of Buckingham, Richard Cromwell, secretary Thurloe, and many others who will be mentioned in the course of this work, sought to read the pages of the future by the help of the impostors of their time. Lilly, Partridge, Wharton, Godbury, Saunders, Coley, Middleton, Culpepper, Heydon, were almost all contemporary astrologers. So many practitioners are an earnest that there was much employment. Heydon was the adept especially consulted by the duke of Buckingham; the wily impostor, however, lost much of his credit after being deceived by Richard Cromwell and Thurloe. These went to him disguised as cavaliers, and he told them that Oliver the Protector would infallibly be hanged by a time, which he survived several years.—(*Carte's Life of the Duke of Ormond.—Continuation of Lord Clarendon's Life.* 816.—*&c. &c.*) It is worthy of observation, that the majority of astrologers charge all other practitioners with being impostors and cheats! They certainly never could foretell their own misfortunes, or else Lilly would never have married such a virago of a wife; neither would Heydon have engaged in the treasonable practices that consigned him to the Tower

again trying to make a new party: and he kept a correspondence with the king when he lay at Newcastle; and was pretending he had a great interest among the covenanters, whereas at that time he had none at all. All these little plottings came to be either known, or at least suspected. The queen was a woman of great vivacity in conversation, and loved all her life long to be in intrigues of all sorts, but was not so secret in them as such times and such affairs required. She was a woman of no manner of judgment: she was bad at contrivance, but much worse in the execution; but by the liveliness of her discourse she made always a great impression on the king: and to her little practices, as well as to the king's own temper, the sequel of all his misfortunes was owing*. I know it was a maxim infused into his sons, which I have often heard from king James, that he was undone by his concessions. This is true in some respect: for his passing the act that the parliament should sit during pleasure was indeed his ruin, to which he was drawn by the queen. But if he had not made great concessions, he had sunk without being able to make a struggle for it; and could not have divided the nation, or engaged so many to have stood by him; since by the concessions that he made, especially that of the triennial parliament, the honest and quiet part of the nation was satisfied, and thought their religion and liberties were secured: so they broke off from † those more violent propositions that occasioned the war.

The truth was, the king did not come into those concessions seasonably, nor with a good grace. All appeared to be extorted from him. There were also grounds, whether true or plausible, to make it to be believed, that he intended not to stand to them any longer than he lay under that force, that visibly drew them from him contrary to his own inclinations ‡. The proofs that appeared of some particulars, that made this seem true, made other things that were whispered to be more readily believed; for in all critical times there are deceitful people of both sides, that pretend to merit by making discoveries, on condition that no use shall be made of them as witnesses; which is one of the most pestiferous ways of calumny possible. Almost the whole court had been concerned in one illegal grant or another: so these courtiers, to get their faults passed over, were as so many spies upon the king and queen: they told all they heard, and perhaps not without large additions, to the leading men of the House of Commons. This inflamed their jealousy, and pushed them on to the making still new demands. One eminent passage was told me by the lord Hollis.

* Charles was indeed unfortunate—unfortunate in his own unfirmness of character; unfortunate as to the period in which he ascended the throne; and unfortunate to such a degree, that those who loved him contributed as much to his ruin, as those who were his enemies. Of those attached to him, and who hastened his destruction, the queen was among the most culpable.

She was extremely beautiful and accomplished; her portrait is still in Windsor Castle, and those who have seen its lovely features must have ceased to wonder that their possessor fascinated and subdued sterner natures than that of Charles the first. To her accomplishments, generally, all contemporary annalists give their assent; but in singing, she evidently particularly excelled. "I found it true," said lord Kensington, writing to Charles, "that neither her master Bayle, nor any man or woman in France, or in the world, sings so admirably as she. Sir, it is beyond imagination; that is all I can say of it." Such charms and such accomplishments, accompanied by great vivacity of manner, had too fascinating an influence over the king. She was imperious, haughty, and prone to bursts of passion which hurried her to recommend and insist upon measures disastrous in their results, and against the consequences of which she had neither sufficient judgment to suggest resources nor firmness to maintain opposition. Her angry urging the king to seize the five members suffices as an illustration of this—it was the conclusive thrust that determined the fatal separation between the parliament and the king. She had been educated with very high notions of the royal prerogative, and had been used to see despotic sovereignty exercised over an ignorant and slavish people. This led her to the mistaken conclusion that the same power might be exercised over Englishmen. She acted vigorously to maintain the king's cause in the war consequent to this fatal error; and did not discover how much she was mistaken, and how vain is the struggle to coerce a people resolved to be free, until some years subsequent to the overthrow of all her plans, and the death of her husband. She returned to England at the Restoration, after being absent nearly nineteen years; and is said to have declared, on re-entering Somerset House, "that if she had known the temper of the English some years before, as well as she now did, she had never been obliged to leave that palace." It will be seen in future pages how strenuously she exerted herself to retain political influence during the reign of her son Charles the second. In this she failed. She sinks greatly in the scale of estimation, if, as it would appear from sir John Reresby's Memoirs, she was secretly the wife of Henry Jermyn, earl of St. Albans.

† It seems clearer, if, instead of *broke off from*, the sentence ran *would not go into*.—(*Note by Author's Son.*)

‡ The duplicity and insincerity of Charles have been placed beyond any just doubt by his private papers, which fell into the hands of the parliament after his final defeat at the battle of Naseby. The "Eikon Basilike" mentions these without disputing their authenticity. They contain copies of letters in which the king states decidedly, that though he called the parliament by that name, yet in his conscience he did not hold it to be one, nor should he treat it as such, in the event of success. Who can say where the parliament could find security, after this, but by his death?

The earl of Strafford had married his sister. So, though in that parliament he was one of the hottest men of the party, yet when that matter was before them he always withdrew. When the bill of attainder was passed, the king sent for him to know what he could do to save the earl of Strafford. Hollis answered, that if the king pleased, since the execution of the law was in him, he might legally grant him a reprieve, which must be good in law; but he would not advise it. That which he proposed was, that lord Strafford should send him a petition for a short respite, to settle his affairs and to prepare for death; upon which he advised the king to come next day with the petition in his hands, and lay it before the two houses with a speech which he drew for the king; and Hollis said to him, he would try his interest among his friends to get them to consent to it. He prepared a great many, by assuring them, that if they would save lord Strafford he would become wholly theirs in consequence of his first principles: and that he might do them much more service by being preserved, than he could do if made an example upon such new and doubtful points. In this he had wrought on so many, that he believed if the king's party had struck into it he might have saved him. It was carried to the queen, as if Hollis had engaged that the earl of Strafford should accuse her, and discover all he knew. So the queen not only diverted the king from going to the parliament, changing the speech into a message all written with the king's own hand, and sent to the House of Lords by the prince of Wales; (which Hollis had said, would have perhaps done as well, the king being apt to spoil things by an unacceptable manner;) but to the wonder of the whole world, the queen prevailed with him to add that mean postscript, "if he must die, it were charity to reprieve him till Saturday;" which was a very unhandsome giving up of the whole message. When it was communicated to both houses, the whole court party was plainly against it: and so he fell truly by the queen's means *.

The mentioning this makes me add one particular concerning archbishop Laud: when his impeachment was brought to the Lords' bar, he apprehending how it would end, sent over Warner, bishop of Rochester, with the keys of his closet and cabinet, that he might destroy, or put out of the way, all papers that might either hurt himself or any body else. He was at that work for three hours, till, upon Laud's being committed to the black rod, a messenger went over to seal up his closet, who came after all was withdrawn. Among the writings he took away, it is believed the original Magna Charta passed by king John in the mead near Staines was one. This was found among Warner's papers by his executor: and that descended to his son and executor, colonel Lee, who gave it to me. So it is now in my hands; and it came very fairly to me. For this conveyance of it we have nothing but conjecture †.

* This is a hasty assignment of one of the blackest crimes that disgrace our country's history. It appears certain that the queen disliked Strafford, for when he bore no other title than the worthy name of Wentworth, he had been the uncompromising objurgator of measures and of the religion to which she was attached. Athough this enmity existed, and although the fear of injuring her interests, and those of his children, may have influenced the king to consent to the earl's death, yet having signed the warrant, and all the court party being against its revocation, it is hard to say, that a postscript, like the one in question, admitting the queen dictated it, was the cause of his execution. It must be recollected that 204 voted for the earl's condemnation, and only 59 opposed it. Lord Hollis may have had all the influence that can reasonably be granted him, or his own complacency claimed, yet he must have fallen, even then, far short of being able to reverse the majority. It was an imbecile, pusillanimous, ill-judged postscript, but if it had never been written, the letter cannot be considered as fraught with such magic charms as to have converted the hearts and resolutions of both houses of parliament. They were urged on, not only by their own convictions, that it was necessary to intimidate, by the earl's execution, all the counsellors of despotic sovereignty; but they were also impelled by "the pressure from without;" the people, as Whitelock relates, assembled round the houses, and clamoured riotously for his execution. To this popular feeling the king dared, against the dictates of his conscience, to yield; and at the time he confessed this, when speaking to the deputation that waited upon him in consequence of the above letter, he takes the merit of the authorship of the postscript to himself. He said "that what he intended by his letter was, with an *if; if* it might be done without discontentment of his people; if that cannot be, I say again, the same I wrote, *fiat justitia*. My other intention, proceeding out of charity, for a few days' respite, was upon certain information that his estate was so distracted, that it necessarily required some few days for settlement thereof." (*Rushworth's Trial of Strafford.*) If he really thought so, the prerogative of mercy as well as of justice was still his; why then did he not respite his servant? why did he not perform the act of charity? was he not bold enough to dare to do good, as he had been to do evil? could he not venture, without leave, to give his sacrificed friend three days' grace?

† Colonel Lee is stated to have given the original Magna Charta to Dr. Burnet, by the intervention of Mr. Geddis. Upon the death of our author, it came to his son, sir Thomas Burnet; in the hands of whose executor, Mr. David Mitchell, it was seen and referred to by sir William Blackstone. When Mr. Mitchell died, this truly national relic came into the possession of his daughter, of whom it was purchased by earl Stanhope, and given to the British Museum, where it may now be seen.—*Blackstone's Law Tracts*, 3rd ed. 297.

I do not intend to prosecute the history of the wars. I have told a great deal relating to them in the memoirs of the dukes of Hamilton. Rushworth's collections contain many excellent materials. And now the first volume of the earl of Clarendon's history gives a faithful representation of the beginnings of the troubles, though written in favour of the court, and full of the best excuses that such ill things were capable of. I shall, therefore, only set out what I had particular reason to know, and what is not to be met with in books.

The kirk was now settled in Scotland with a new mixture of ruling elders; which though they were taken from the Geneva pattern, to assist or rather to be a check on the ministers, in the managing the parochial discipline, yet these never came to their assemblies till the year 1638, that they thought it necessary to make them first go and carry all the elections of the ministers at the several presbyteries, and next come themselves and sit in the assemblies. The nobility and chief gentry offered themselves upon that occasion: and the ministers, since they saw they were like to act in opposition to the king's orders, were glad to have so great a support. But the elders that now came to assist them beginning to take, as the ministers thought, too much on them, they grew weary of such imperious masters: so they studied to work up the inferior people to much zeal: and as they wrought any up to some measure of heat and knowledge, they brought them also into their eldership; and so got a majority of hot zealots who depended on them. One out of these was deputed to attend on the judicatories. They had synods of all the clergy, in one or more counties, who met twice a year; and a general assembly met once a year: and at parting, that body named some, called the commission of the kirk, who were to sit in the intervals to prepare matters for the next assembly, and to look into all the concerns of the church, to give warning of dangers, and to inspect all proceedings of the state as far as related to the matters of religion: by these means they became terrible to all their enemies. In their sermons, and chiefly in their prayers, all that passed in the state was canvassed. Men were as good as named, and either recommended or complained of, to God, as they were acceptable or odious to them. This grew up in time to an insufferable degree of boldness. The way that was given to it, when the king and the bishops were their common themes, made that, afterwards, the humour could not be restrained: and it grew so petulant, that the pulpit was a scene of news and passion. For some years this was managed with great appearances of fervour by men of age and some authority: but when the younger and hotter zealots took it up, it became odious to almost all sorts of people: except some sour enthusiasts, who thought all their impertinence was zeal, and an effect of inspiration; which flowed naturally from the conceit of extemporary prayers being praying by the spirit.

Henderson, a minister of Edinburgh, was by much the wisest and gravest of them all: but as all his performances that I have seen are flat and heavy, so he found it was an easier thing to raise a flame than to quench it. He studied to keep his party to him: yet he found he could not moderate the heat of some fiery spirits: so when he saw he could follow them no more, but that they had got the people out of his hands, he sunk both in body and mind, and died soon after *. The person next to him was Douglas, believed to be descended from the royal family, though the wrong way. There appeared an air of greatness in him that made all that saw him inclined enough to believe he was of no ordinary descent. He was a reserved man: he had the scriptures by heart to the exactness of a Jew; for he was as a concordance: he was too calm and too grave for the furious men, but yet he was much depended on for his prudence. I knew him in his old age; and saw plainly, he was a

* Alexander Henderson was the most influential of the presbyterian clergy; and took the lead in all the religious and political discussions in which his party were engaged. In 1646, he came with some other clergymen to persuade the king to abolish the episcopal form of church government in England, as he had in Scotland. To which if he had consented, Clarendon thought that they would have effectually strengthened his party both in parliament and in the field. The papers which passed between Mr. Henderson and Charles, relative to the comparative merits of the two forms of ecclesiastical discipline, have since been published, and if the king's arguments were not sufficient to convince his antagonists, they must have certainly raised him in their estimation. They are ably arranged, and cogently enforced. Clarendon says, "the old man himself, Mr. Henderson, was so far convinced and converted, that he had a very deep sense of the mischief he had himself been the author of, or too much contributed to, and lamented it to his warmest friends and confidents; and died of grief and heart-broken, within a very short time after he departed from his majesty."—(*History of Rebellion*, iii 24, fo. ed. *Barwick's Life of J. Barwick*, 253.)

slave to his popularity, and durst not own the free thoughts he had of some things for fear of offending the people.

I will not run out in giving the characters of the other leading preachers among them, such as Dickson, Blair, Rutherford, Baily, Cant, and the two Gillispys*. They were men all of a sort; they affected great sublimities in devotion; they poured themselves out in their prayers with a loud voice, and often with many tears. They had but an ordinary proportion of learning among them; something of Hebrew and very little Greek. Books of controversy with papists, but above all with the Arminians, was the height of their study. A way of preaching by doctrine, reason, and use, was that they set up on: and some of them affected a strain of stating cases of conscience, not with relation to moral actions, but to some reflections on their condition and temper: that was occasioned chiefly by their conceit of praying by the spirit, which every one could nor attain to, or keep up to the same heat in, at all times. The learning they recommended to their young divines were some German systems, some commentators on the scripture, books of controversy, and practical books. They were so careful to oblige them to make their round in these, that if they had no men of great learning among them, yet none were very ignorant: as if they had thought an equality in learning was necessary to keep up the parity of their government. None could be suffered to preach as expectants, (as they called them,) but after a trial or two in private before the ministers alone: then two or three sermons were to be preached in public, some more learnedly, some more practically: then a head in divinity was to be common-placed in Latin, and the person was to maintain theses upon it: he was also to be tried in Greek and Hebrew, and in scripture chronology. The questionary trial came last, every minister asking such questions as he pleased. When any had passed through all these with approbation, which was done in a course of three or four months, he was allowed to preach when invited. And if he was presented, or called to a church, he was to pass through a new set of the same trials. This made that there was a small circle of knowledge in which they were generally well instructed. True morality was little studied or esteemed by them: they took much pains among their people to maintain their authority; they affected all the ways of familiarity that were like to gain on them.

They forced all people to sign the covenant: and the greatest part of the episcopal clergy, among whom there were two bishops, came to them, and renounced their former principles, and desired to be received into their body. At first they received all that offered themselves; but afterwards they repented of this: and the violent men among them were ever pressing the purging the kirk, as they called it, that is the ejecting all the episcopal clergy. Then they took up the term of *malignants*, by which all who differed from them were distinguished: but the strictness of piety and good life, which had gained them so much reputation before the war, began to wear off; and instead of that, a fierceness of temper, and a copiousness of many long sermons, and much longer prayers, came to be the distinction of the party. This they carried even to the saying grace before and after meat sometimes to the length of a whole hour †. But as every new war broke out, there was a visible abatement of even the outward shows of piety. Thus the war corrupted both sides. When the war broke out in England, the Scots had a great mind to go into it. The decayed nobility, the military men, and the ministers were violently set on it. They saw what good quarters they had in the north of England. And they hoped the umpirage of the war would fall into their hands.

* Two, if not more, of these were able and learned men. David Dickson was professor of divinity at Glasgow, and favourably known as an author on sacred subjects. He assisted in drawing up the Confession of Faith. He was ejected for nonconformity in 1662, and died the same year. (Life by Woodrow.) Robert Baillie was principal of Glasgow College, and might have had a bishopric at the Restoration, if he would have accepted it, but he adhered to his presbyterian principles. These facts redound to his credit, especially when it is remembered that he was one of the commissioners to impeach archbishop Laud; and was one of the Assembly of Divines. His "Letters and Journals" have been published. They contain abundance of very interesting, authentic information.—*Life prefixed to his Letters.*

† What they occasionally endured is appreciable from Mr. Baillie's account of the unintermitted occupation of eight hours. "After Dr. Twisse had begun with a short prayer, Mr. Marshall prayed largely, two hours. After, Mr. Arrowsmith preached an hour, then a psalm; thereafter, Mr. Vines prayed near two hours, and Mr. Palmer preached an hour, and Mr. Seaman prayed near two hours, then a psalm; after, Mr. Henderson preached, and Dr. Twisse closed with a short prayer and blessing." Mr. Baillie calls this "spending from nine to five very graciously."—*Baillie's Letters*, vol. ii. 19.

The division appearing so near an equality in England they reckoned they would turn the scales, and so be courted of both sides: and they did not doubt to draw great advantages from it, both for the nation in general, and themselves in particular. Duke Hamilton was trusted by the king with the management of his affairs in that kingdom, and had powers to offer, but so secretly, that if discovered it could not be proved, for fear of disgusting the English, that if they would engage in the king's side, he would consent to the uniting Northumberland, Cumberland, and Westmorland, to Scotland; and that Newcastle should be the seat of the government; that the prince of Wales should hold his court always among them; that every third year the king should go among them; and every office in the king's household should in the third turn be given to a Scotchman. This I found not among duke Hamilton's papers; but the earl of Lauderdale assured me of it, and that at the Isle of Wight they had all the engagements from the king that he could give. Duke Hamilton quickly saw, it was a vain imagination to hope that kingdom could be brought to espouse the king's quarrel. The inclination ran strong the other way: all he hoped to succeed in was to keep them neuter for some time; and this he saw could not hold long: so after he had kept off their engaging with England all the year 1643, he and his friends saw it was in vain to struggle any longer. The course they all resolved on was, that the nobility should fall in heartily with the inclinations of the nation to join with England, that so they might procure to themselves and their friends the chief commands in the army: and then, when they were in England, and that their army was, as a distinct body, separated from the rest of the kingdom, it might be much easier to gain them to the king's service, than it was at that time to work on the whole nation.

This was not a very sincere way of proceeding; but it was intended for the king's service, and would probably have had the effect designed by it, if some accidents had not happened that changed the face of affairs, which are not rightly understood; and, therefore, I will open them clearly. The earl of Montrose and a party of high royalists were for entering into an open breach with the country in the beginning of the year 1643, but offered no probable methods of maintaining it; nor could they reckon themselves assured of any considerable party. They were full of undertakings: but when they were pressed to show what concurrence might be depended on, nothing was offered but from the Highlanders: and on this wise men could not rely: so duke Hamilton would not expose the king's affairs by such a desperate way of proceeding. Upon this they went to Oxford, and filled all people there with complaints of the treachery of the Hamiltons; and they pretended they could have secured Scotland, if their propositions had been entertained. This was but too suitable to the king's own inclinations, and to the humour that was then prevailing at Oxford. So when the two Hamiltons came up, they were not admitted to speak to the king: and it was believed, if the younger brother had not made his escape, that both would have suffered; for when the queen heard of his escape, she with great commotion said, Abercorn has missed a dukedom; for that earl was a papist, and next to the two brothers. They could have demonstrated, if heard, that they were sure of above two parts in three of the officers of the army; and did not doubt to have engaged the army in the king's cause. But the failing in this was not all. The earl, then made marquis of Montrose, had powers given him, such as he desired, and was sent down with them; but he could do nothing till the end of the year. A great body of the Macdonalds, commanded by one col. Killoch, came over from Ireland to recover Kentire, the best country of all the Highlands, out of which they had been driven by the Argyle family, who had possessed their country about fifty years. The head of these was the earl of Antrim, who had married the duke of Buckingham's widow; and being a papist, and having a great command in Ulster, was much relied on by the queen. He was the main person in the first rebellion, and was the most engaged in bloodshed of any in the north: yet he continued to correspond with the queen to the great prejudice of the king's affairs. When the marquis of Montrose heard they were in Argyleshire, he went to them, and told them, if they would let him lead them he would carry them into the heart of the kingdom, and procure them better quarters and good pay: so he led them into Perthshire. The Scots had at that time an army in England, and another in Ireland: yet they did not think it necessary to call home any part of either, but despising the Irish, and the Highlanders, they raised a tumultuary army, and put it under

the command of some lords noted for want of courage, and of others who wished well to the other side. The marquis of Montrose's men were desperate, and met with little resistance: so that small body of the covenanters' army was routed. And here the marquis of Montrose got horses and ammunition, having but three horses before, and powder only for one charge. Then he became considerable; and he marched through the northern parts by Aberdeen. The Marquis of Huntly was in the king's interests; but would not join with him, though his sons did. Astrology ruined him: he believed the stars, and they deceived him: he said often, that neither the king, nor the Hamiltons, nor Montrose, would prosper: he believed he should outlive them all, and escape at last; as it happened in conclusion, as to outliving the others. He was naturally a gallant man: but the stars had so subdued him, that he made a poor figure during the whole course of the wars.

The marquis of Montrose's success was very mischievous, and proved the ruin of the king's affairs: on which I should not have depended entirely, if I had had this only from the earl of Lauderdale, who was indeed my first author: but it was fully confirmed to me by the lord Hollis, who had gone in with great heat into the beginnings of the war; but he soon saw the ill consequences it already had, and the worse that were like to grow with the progress of it: he had in the beginning of the year forty-three, when he was sent to Oxford with the propositions, taken great pains on all about the king to convince them of the necessity of their yielding in time; since the longer they stood out the conditions would be harder: and when he was sent by the parliament in the end of the year forty-four, with other propositions, he and Whitlock entered into secret conferences with the king, of which some account is given by Whitlock in his memoirs. They with other commissioners that were sent to Oxford possessed the king, and all that were in great credit with him, with this, that it was absolutely necessary the king should put an end to the war by a treaty: a new party of hot men was springing up, that were plainly for changing the government: they were growing much in the army, but were yet far from carrying any thing in the house: they had gained much strength this summer: and they might make a great progress by the accidents that another year might produce. They confessed there were many things hard to be digested, that must be done in order to a peace; they asked things that were unreasonable; but they were forced to consent to those demands: otherwise they would have lost their credit with the city and the people, who could not be satisfied without a very entire security, and a full satisfaction: but the extremity to which matters might be carried otherwise made it necessary to come to a peace on any terms whatsoever; since no terms could be so bad as the continuance of the war. The king must trust them, though they were not at that time disposed to trust him so much as it were to be wished; they said farther, that if a peace should follow, it would be a much easier thing to get any hard laws now moved for to be repealed, than it was now to hinder their being insisted on. With these things Hollis told me that the king and many of his counsellors, who saw how his affairs declined, and with what difficulty they could hope to continue the war another year, were satisfied. The king more particularly began to feel the insolence of the military men, and of those who were daily reproaching him with their services: so that they were become as uneasy to him as those of Westminster had been formerly. But some came in the interval from lord Montrose with such an account of what he had done, of the strength he had, and of his hopes next summer, that the king was by that prevailed on to believe his affairs would mend, and that he might afterwards treat on better terms. This unhappily wrought so far, that the limitations he put on those he sent to treat at Uxbridge made the whole design miscarry. That raised the spirits of those that were already but too much exasperated. The marquis of Montrose made a great progress the next year: but he laid no lasting foundation, for he did not make himself master of the strong places or passes of the kingdom. After his last and greatest victory at Kilsyth, he was lifted up out of measure. The Macdonalds were every where fierce masters, and ravenous plunderers; and the other Highlanders, who did not such military executions, yet were good at robbing: and when they had got as much as they could carry home on their backs, they deserted. The Macdonalds also left him to go and execute their revenge on the Argyle's country. The marquis of Montrose thought he was now master, but had no scheme how to fix his conquests; he wasted the estates of his enemies, chiefly the Hamiltons:

and went towards the borders of England, though he had but a small force left about him; but he thought his name carried terror with it. So he wrote to the king that he had gone over the land from Dan to Beersheba: he prayed the king to come down in these words—"come thou, and take the city, lest I take it and it be called by my name." This letter was written, but never sent; for he was routed, and his papers taken, before he had despatched the courier. When his papers were taken, many letters of the king, and of others at Oxford, were found, as the earl of Crawford, one appointed to read them, told me; which increased the disgusts: but these were not published. Upon this occasion many prisoners that had quarters given them were murdered in cold blood: and as they sent them to some towns that had been ill used by lord Montrose's army, the people in revenge fell on them and knocked them on the head. Several persons of quality were condemned for being with them: and they were proceeded against both with severity and with indignities. The preachers thundered in their pulpits against all that did the work of the Lord deceitfully; and cried out against all that were for moderate proceedings, as guilty of the blood that had been shed. "Thine eye shall not pity, and thou shalt not spare," were often inculcated after every execution: they triumphed with so little decency, that it gave all people very ill impressions of them. But this was not the worst effect of lord Montrose's expedition. It lost the opportunity at Uxbridge, it alienated the Scots much from the king: it exalted all that were enemies to peace. Now they seemed to have some colour for all those aspersions they had cast on the king, as if he had been in a correspondence with the Irish rebels, when the worst tribe of them had been thus employed by him. His affairs declined totally in England that summer: and lord Hollis said to me, all was owing to lord Montrose's unhappy successes *.

Upon this occasion I will relate somewhat concerning the earl of Antrim. I had in my hand several of his letters to the king in the year 1646, written in a very confident style. One was somewhat particular: he in a postscript desired the king to send the enclosed to the good woman, without making any excuse for the presumption; by which, as follows in the postscript, he meant his wife, the duchess of Buckingham. This made me more easy to believe a story that the earl of Essex told me he had from the earl of Northumberland: upon the Restoration, in the year 1660, lord Antrim was thought guilty of so much bloodshed, that it was taken for granted he could not be included in the indemnity that was to pass in Ireland:

* Clarendon, as all professed apologists should be, is very careful in concealing dates. Thus in relating these transactions he places the statement of Montrose's successes after the treaty of Uxbridge, and no dates being specified, the reader is left without a guide to detect the error. From the extreme minuteness of detail, with which his lordship relates the intrigues and persuasions that were employed to induce the king to employ Montrose, Antrim, and O'Neil in this ill-judged expedition, there is reason to believe that he was one of its counsellors, and consequently not at all covetous of the blame which always descends upon those who happen to be the contrivers of disastrous projects, though better judged than this. Dr. Wellwood confirms Burnet's statement. He states that although at the treaty of Uxbridge the parliament's propositions were extreme, and the king more than ordinarily averse to yield, yet the ill posture of his affairs made his friends particularly importunate with him to avoid the consequences that must ensue upon breaking off the treaty. The earl of Southampton went post from Uxbridge to Oxford, and implored upon his knees the king to yield to the necessity of the times, and thus settle a lasting peace with his people. His majesty at length yielded, and the next morning was appointed to sign instructions to that effect for his commissioners. A termination of the troubles seemed now approaching, and at supper, when the king complained of the wine, one of his courtiers replied, "he hoped his majesty would drink better, before a week was over, at Guildhall with the lord mayor." But on the following morning the king had changed his mind, and refused to yield to the parliament's demands. In the interim his majesty had received a letter from the marquis of Montrose, acquainting him with, and certainly exaggerating, his successes. Dr. Wellwood saw a copy of it in the hand-writing of the duke of Richmond, and has preserved it in the appendix to his "Memoirs." In this letter he expressed his "utter aversion to all treaties with the rebel parliament in England;" tells the king "he is heartily sorry to hear that his majesty had consented to treat, and hopes it is not true;" advises him "not to enter into terms with his rebellious subjects, as being a thing unworthy of a king:" and concludes, "when I have conquered from Dan to Beersheba, give me leave to say, as David's general did to his master, 'come thou thyself, lest this country be called by my name.'" Wellwood remarks that a fatality seems to have attended the whole transaction. The letter was written on the 3rd of February, in a distant part of North Britain, yet came to Oxford, notwithstanding the distance, the badness of the roads, especially at that season, and that the despatch had to pass through a country occupied by the parliament's and Scotch armies, before the 19th, for among the Naseby papers was the copy of a letter, so dated, in which the king alludes to it.—*Wellwood's Memoirs by Masseres*, 66 & 294.

The hatred of the Scotch for Charles I. may not without reason be attributed in part to the havoc and pillage he brought upon their country by this inroad of the Irish and others, under Montrose.

The treaty of Uxbridge began on the 30th of January, 1645, and terminated on the 22nd of February.

upon this he (lord Antrim) seeing the duke of Ormond set against him, came over to London, and was lodged at Somerset House: and it was believed, that having no children he settled his estate on Jermyn then earl of St. Albans *: but before he came away he had made a prior settlement in favour of his brother. He petitioned the king to order a committee of council to examine the warrants that he had acted upon. The earl of Clarendon was for rejecting the petition, as containing a high indignity to the memory of king Charles the first: and said plainly at council table, that if any person had pretended to affirm such a thing while they were at Oxford he would either have been severely punished for it, or the king would soon have had a very thin court. But it seemed just to see what he had to say for himself: so a committee was named, of which the earl of Northumberland was the chief. He produced to them some of the king's letters: but they did not come up to a full proof. In one of them the king wrote, that he had not then leisure, but referred himself to the queen's letter; and said, that was all one as if he had written himself. Upon this foundation he produced a series of letters written by himself to the queen, in which he gave her an account of every one of these particulars that were laid to his charge, and showed the grounds he went on, and desired her directions to every one of these: he had answers ordering him to do as he did. This the queen-mother espoused with great zeal; and said, she was bound in honour to save him. I saw a great deal of that management, for I was then at court. But it was generally believed, that this train of letters was made up at that time in a collusion between the queen and him: so a report was prepared to be signed by the committee, setting forth that he had so fully justified himself in every thing that had been objected to him, that he ought not to be excepted out of the indemnity. This was brought first to the earl of Northumberland to be signed by him; but he refused it, and said, he was sorry he had produced such warrants, but he did not think they could serve his turn; for he did not believe any warrant from the king or queen could justify so much bloodshed, in so many black instances as were laid against him. Upon his refusal the rest of the committee did not think fit to sign the report; so it was let fall: and the king was prevailed on to write to the duke of Ormond, telling him, that he had so vindicated himself, that he must endeavour to get him to be included in the indemnity. That was done; and was no small reproach to the king, that did thus sacrifice his father's honour to his mother's importunity. Upon this the earl of Essex told me, that he had taken all the pains he could to inquire into the original of the Irish massacre, but could never see any reason to believe the king had any accession to it. He did indeed believe that the queen harkened to the propositions made by the Irish, who undertook to take the government of Ireland into their hands, which they thought they could easily perform: and then, they said, they would assist the king to subdue the hot spirits at Westminster. With this the plot of the insurrection began; and all the Irish believed the queen encouraged it. But in the first design there was no thought of a massacre: that came in head as they were laying the methods of executing it: so, as those were managed by the priests, they were the chief men that set on the Irish to all the blood and cruelty that followed.

I know nothing in particular of the sequel of the war, nor of all the confusions that happened till the murder of king Charles the first: only one passage I had from lieutenant-general Drummond, afterwards lord Strathallan. He served on the king's side; but he had many friends among those who were for the covenant; so the king's affairs being now ruined, he was recommended to Cromwell, being then in a treaty with the Spanish Ambassador, who was negotiating for some regiments to be levied and sent over from Scotland to Flanders: he happened to be with Cromwell when the commissioners sent from Scotland to protest against the putting the king to death came to argue the matter with him. Cromwell bade Drumond stay and hear their conference, which he did. They began in a heavy languid style to lay indeed great load on the king: but they still insisted on that clause in the covenant, by which they swore they would be faithful in the preservation of his Majesty's person. With this they showed upon what terms Scotland, as well as the two houses, had engaged in the war; and what solemn declarations of their zeal and duty to the king they

* If as was then generally believed, the earl of St. Albans was married to the queen dowager, this was a powerful mode to secure her interest in his favour, and seems to have succeeded.

all along published; which would now appear, to the scandal and reproach of the christian name, to have been false pretences, if, when the king was in their power, they should proceed to extremities. Upon this Cromwell entered into a long discourse of the nature of the regal power, according to the principles of Mariana and Buchanan: he thought a breach of trust in a king ought to be punished more than any other crime whatsoever: he said as to their covenant, they swore to the preservation of the king's person in defence of the true religion: if then it appeared that the settlement of the true religion was obstructed by the king, so that they could not come at it but by putting him out of the way, then their oath could not bind them to the preserving him any longer. He said also, their covenant did bind them to bring all malignants, incendiaries, and enemies to the cause, to condign punishment: and was not this to be executed impartially? What were all those on whom public justice had been done, especially those who suffered for joining with Montrose, but small offenders, acting by commission from the king, who was, therefore, the principal, and so the most guilty? Drummond said, Cromwell had plainly the better of them at their own weapon, and upon their own principles. At this time presbytery was at its height in Scotland.

In summer, 1648, when the parliament declared they would engage to rescue the king from his imprisonment, and the parliament of England from the force it was put under by the army, the nobility went into the design, all except six or eight. The king had signed an engagement to make good his offers to the nation of the northern counties, with the other conditions formerly mentioned: and particular favours were promised to every one that concurred in it. The marquis of Argyle gave it out that the Hamiltons, let them pretend what they would, had no sincere intentions to their cause, but had engaged to serve the king on his own terms: he filled the preachers with such jealousies of this, that though all the demands that they made for the security of their cause, and in declaring the grounds of the war, were complied with, yet they could not be satisfied, but still said the Hamiltons were in a confederacy with the malignants in England, and did not intend to stand to what they promised. The General Assembly declared against it, as an unlawful confederacy with the enemies of God, and called it the Unlawful Engagement, which came to be the name commonly given to it in all their pulpits. They every where preached against it, and opposed the levies all they could by solemn denunciations of the wrath and curse of God on all concerned in them. This was a strange piece of opposition to the state, little inferior to what was pretended to and put in practice by the church of Rome.

The south-west counties of Scotland have seldom corn enough to serve them round the year: and the northern parts producing more than they need, those in the west come in the summer to buy at Leith the stores that come from the north: and from a word, *whiggam*, used in driving their horses, all that drove were called the *whiggamors*, and shorter the *whiggs*. Now in that year, after the news came down of duke Hamilton's defeat, the ministers animated their people to rise, and march to Edinburgh: and they came up marching on the head of their parishes, with an unheard-of fury, praying and preaching all the way as they came. The marquis of Argyle and his party came and headed them, they being about 6000. This was called the whiggamors' inroad: and ever after that all that opposed the court came in contempt to be called *whiggs:* and from Scotland the word was brought into England, where it is now one of our unhappy terms of distinction.

The committee of their estates, with the force they had in their hands, could easily have dissipated this undisciplined herd. But they knowing their own weakness sent to Cromwell desiring his assistance. Upon that the committee saw they could not stand before him: so they came to a treaty and delivered up the government to this new body. Upon their assuming it, they declared all who had served or assisted in the engagement incapable of any employment, till they had first satisfied the kirk of the truth of their repentance, and made public professions of it. All churches were upon that full of mock penitents, some making their acknowledgments all in tears, to gain more credit with the new party. The earl of Lowdun, that was chancellor, had entered into solemn promises both to the king and the Hamiltons: but when he came to Scotland, his wife, a high covenanter, and an heiress, by whom he had both honour and estate, threatened him, if he went on that way, with a process of adultery, in which she could have had very copious proofs: he durst not stand this,

and so compounded the matter, by the deserting his friends, and turning over to the other side: of which he made public profession in the church of Edinburgh with many tears, confessing his weakness in yielding to the temptation of what had a show of honour and loyalty, for which he expressed a hearty sorrow. Those that came in early with great shows of compunction got easier off: but those who stood out long found it a harder matter to make their peace. Cromwell came down to Scotland, and saw the new modes fully settled.

During his absence from the scene, the treaty of the Isle of Wight was set on foot by the parliament, who seeing the army at such a distance took this occasion of treating with the king. Sir Henry Vane, and others who were for a change of government, had no mind to treat any more. But both city and country were so desirous of a personal treaty, that it could not be resisted. Vane, Pierpoint, and some others, went to the treaty on purpose to delay matters till the army could be brought up to London. All that wished well to the treaty prayed the king at their first coming to despatch the business with all possible haste, and to grant the first day all that he could bring himself to grant on the last. Hollis and Grimstone told me, they had both on their knees begged this of the king. They said they knew Vane would study to draw out the treaty to a great length: and he, who declared for an unbounded liberty of conscience, would try to gain on the king's party by the offer of a toleration for the common prayer and the episcopal clergy. His design in that was to gain time, till Cromwell should settle Scotland and the north. But they said, if the king would frankly come in without the formality of papers backward and forward, and send them back next day with the concessions that were absolutely necessary, they did not doubt but he should in a very few days be brought up with honour, freedom, and safety to the parliament, and that matters should be brought to a present settlement. Titus, who was then much trusted by the king, and employed in a negotiation with the presbyterian party, told me he had spoken often and earnestly to him in the same strain: but the king could not come to a resolution: and he still fancied, that in the struggle between the House of Commons and the army, both saw they needed him so much to give them the superior strength, that he imagined by balancing them he would bring both sides into a greater dependence on himself, and force them to better terms. In this Vane flattered the episcopal party to the king's ruin as well as their own. But they still hated the presbyterians as the first authors of the war; and seemed unwilling to think well of them, or to be beholden to them. Thus the treaty went on with a fatal slowness: and by the time it was come to some maturity, Cromwell came up with his army and overturned all.

Upon this I will set down what sir Harbotle Grimstone told me a few weeks before his death. Whether it was done at this time, or the year before, I cannot tell: I rather believe the latter. When the House of Commons and the army were a quarrelling, at a meeting of the officers, it was proposed to purge the army better, that they might know whom to depend on. Cromwell upon that said, he was sure of the army; but there was another body that had more need of purging, naming the House of Commons, and he thought the army only could do that. Two officers that were present brought an account of this to Grimston, who carried them with him to the lobby of the House of Commons, they being resolved to justify it to the House. There was another debate then on foot: but Grimstone diverted it, and said, he had a matter of privilege of the highest sort to lay before them: it was about the being and freedom of the house. So he charged Cromwell with the design of putting a force on the house: he had his witnesses at the door, and desired they might be examined: they were brought to the bar, and justified all that they had said to him, and gave a full relation of all that had passed at their meetings. When they withdrew, Cromwell fell down on his knees, and made a solemn prayer to God, attesting his innocence, and his zeal for the service of the house: he submitted himself to the providence of God, who it seems thought fit to exercise him with calumny and slander, but he committed his cause to him: this he did with great vehemence, and with many tears. After this strange and bold preamble, he made so long a speech, justifying both himself and the rest of the officers, except a few that seemed inclined to return back to Egypt, that he wearied out the house, and wrought so much on his party, that what the witnesses had said was so little believed, that, had it been moved, Grimstone thought that both he and they would have been sent to the Tower. But

whether their guilt made them modest, or that they had no mind to have the matter much talked of, they let it fall: and there was no strength on the other side to carry it farther. To complete the scene, as soon as ever Cromwell got out of the house, he resolved to trust himself no more among them; but went to the army, and in a few days he brought them up, and forced a great many from the house.

I had much discourse on this head with one who knew Cromwell well and all that set of men: and asked him how they could excuse all the prevarications, and other ill things, of which they were visibly guilty in the conduct of their affairs. He told me, they believed there were great occasions in which some men were called to great services, and in the doing of which they were excused from the common rules of morality: such were the practices of Ehud and Jael, Samson and David: and by this they fancied they had a privilege from observing the standing rules. It is very obvious how far this principle may be carried, and how all justice and mercy may be laid aside on this pretence by every bold enthusiast. Ludlow, in his memoirs, justifies this force put on the parliament, as much as he condemns the force that Cromwell and the army afterwards put on the house: and he seems to lay this down for a maxim, that the military power ought always to be subject to the civil: and yet, without any sort of resentment for what he had done, he owns the share he had in the force put on the parliament at this time. The plain reconciling of this is, that he thought when the army judged the parliament was in the wrong they might use violence, but not otherwise: which gives the army a superior authority, and an inspection into the proceedings of the parliament. This shows how impossible it is to set up a commonwealth in England: for that cannot be brought about but by a military force: and they will ever keep the parliament in subjection to them, and so keep up their own authority.

I will leave all that relates to the king's trial and death to common historians, knowing nothing that is particular of that great transaction, which was certainly one of the most amazing scenes in history. Ireton was the person that drove it on: for Cromwell was all the while in some suspense about it. Ireton had the principles and the temper of a Cassius in him: he stuck at nothing that might have turned England to a commonwealth: and he found out Cook and Bradshaw, two bold lawyers, as proper instruments for managing it. Fairfax was much distracted in his mind, and changed purposes often every day. The presbyterians and the body of the city were much against it, and were every where fasting and praying for the king's preservation. There were not above 8000 of the army about the town: but these were selected out of the whole army, as the most engaged in enthusiasm: and they were kept at prayer in their way almost day and night, except when they were upon duty: so that they were wrought up to a pitch of fury, that struck a terror into all people. On the other hand the king's party was without spirit: and, as many of themselves have said to me, they could never believe his death was really intended, till it was too late. They thought all was a pageantry to strike a terror, and to force the king to such concessions as they had a mind to extort from him.

The king himself showed a calm and a composed firmness, which amazed all people; and that so much the more because it was not natural to him. It was imputed to a very extraordinary measure of supernatural assistance. Bishop Juxon did the duty of his function honestly, but with a dry coldness that could not raise the king's thoughts: so that it was owing wholly to somewhat within himself that he went through so many indignities with so much true greatness, without disorder or any sort of affectation *. Thus he died greater than he had lived; and

* Although Dr. Juxon's fervour in prayer and spiritual consolation was not sufficiently animated to please our author, yet his temperament, his manner, and his character, collectively rendered him, above all other ecclesiastics, the man most desired as his attendant by the royal sufferer. Juxon was a man of inflexible integrity, and Charles told sir Philip Warwick, "I never got his opinion freely in my life; but when I had it, I was ever the better for it." (Warwick's Memoirs, 96.) When the others of the privy councillors basely advised the king to sign the warrant for the earl of Strafford's execution, or pusillanimously declined advising at all, Juxon alone dared to act right, and told his majesty unreservedly, "if he was not satisfied in his conscience, he ought not to do it, whatsoever happened." (Whitelock's Memorials, 44.) Charles had bitterly felt the pangs of useless regret that he had not adopted this advice. Loving the man for his unimpeached virtues, the king requested that he might attend him in the final preparation for death. When this request was granted, his majesty declared it was "no small refreshing to his spirit." The most simple and authentic detail of the bishop's intercourse with the king during the last few days of his life, and of all the events of that deeply-interesting period, is to be read in Wood's Athenæ Oxoniensis, being the narrative given by Mr. Thomas Herbert, his majesty's personal attendant at the time. Dr. Burnet, from the passage in

showed, that which has often been observed of the whole race of the Stuarts, that they bore misfortunes better than prosperity. His reign both in peace and war was a continual series of errors: so that it does not appear that he had a true judgment of things. He was out of measure set on following his humour, but unreasonably feeble to those whom he trusted, chiefly to the queen. He had too high a notion of the regal power, and thought that every opposition to it was rebellion. He minded little things too much, and was more concerned in the drawing of a paper than in fighting a battle. He had a firm aversion to popery, but was much inclined to a middle way between protestants and papists, by which he lost the one without gaining the other. His engaging the duke of Rohan in the war of Rochelle, and then assisting him so poorly, and forsaking him at last, gave an ill character of him to all the protestants abroad. The earl of Lauderdale told me the duke of Rohan was at Geneva, where he himself was, when he received a very long letter, or rather a little book, from my father, which gave him a copious account of the beginning of the troubles in Scotland. He translated it to the duke of Rohan, who expressed a vehement indignation at the court of England for their usage of him: of which this was the account he then gave.

The duke of Buckingham had a secret conversation with the queen of France, of which the queen-mother was very jealous, and possessed the king with such a sense of it that he was ordered immediately to leave the court. Upon his return to England under this affront, he possessed the king with such a hatred of that court, that the queen was ill-used on her coming over, and all her servants were sent back *. He told him also that the protestants were so ill-used, and so strong, that if he would protect them they would involve that kingdom in new wars; which he represented as so glorious a beginning of his reign, that the king without weighing the consequence of it sent one to treat with the duke of Rohan about it. Great assistance was promised by sea: so a war was resolved on, in which the share that our court had is well enough known. But the infamous part was, that Richlieu got the king of France to make his queen write an obliging letter to the duke of Buckingham, assuring him that, if he would let Rochelle fall without assisting it, he should have leave to come over, and should settle the whole matter of the religion according to their edicts. This was a strange proceeding: but cardinal Richlieu could turn that weak king as he pleased. Upon this the duke made that shameful campaign of the Isle of Rhe. But finding next winter that he was not to be suffered to go over into France, and that he was abused into a false hope, he resolved to have followed that matter with more vigour, when he was stabbed by Felton.

the text above, and from another slight notice of Juxon, evidently did not admire him, although he says nothing to his discredit. All other authorities speak decidedly in his praise, and Mr. Grainger only epitomises their commendations when he says "The mildness of his temper, the gentleness of his manners, and the integrity of his life, gained him universal esteem. Even the haters of prelacy could never hate Juxon." He died in 1663, aged 81. Sir Philip Warwick, his contemporary and acquaintance, says, "he was of a meek spirit, and of a solid, steady judgment. Having addicted his first studies to the civil law (from which he took his title of doctor, though he afterwards took on him the ministry), this fitted him the more for secular and state affairs. His temper and prudence wrought so upon all men, that although he had the two most invidious characters, both in the ecclesiastical and civil state—being a bishop and lord treasurer—yet neither drew envy on him, though the humour of the times tended to brand all great men in employment."—(*Warwick's Memoirs*, 93—96.)

* It is certainly not the fact that the queen was ill used upon her first coming over, for she was attended to England by Buckingham, with all the customary magnificence and ceremony. Charles himself met her at Canterbury. As to the reason of the queen's female attendants being dismissed, an event that did not occur until they had been here twelve months, it probably was founded upon state considerations. This country was then on the eve of war with France, and it might very justly be considered impolitic to allow priests and others attached to the interests of that country to be in such intimate intercourse with our court. The misbehaviour of some of them was the plea for dismissing them. Sir Hamond L'Estrange, who was a contemporary, says, on the evening of the 1st of July, 1626, the king, attended by the duke of Buckingham, the earls of Holland and Carlisle, and other officers, came to Somerset House, whither all the queen's servants had been summoned previously. His majesty thus addressed them:—"Ladies and gentlemen, I am driven to that extremity, that I am come to acquaint you I very earnestly desire your return to France. True it is the deportment of some of you hath been very inoffensive to me; but others again have so dallied with my patience, and so highly affronted me, that I cannot, I will not longer endure it." The bishop of Mende and Madame St. George inquired whether they were the offenders; but the king departed without any other reply than "I name none." The queen was very importunate to have them permitted to stay; but this was not permitted, and, after having more than their salaries paid to them, they were all sent back to France. L'Estrange declares that the queen's confessor having made her walk bare-foot from Somerset House to St. James's, and Madame St. George having caused the queen to be jealous of his majesty, were the causes of this dismissal. The continuer of Baker's Chronicle repeats this story, but it is grossly improbable.—*L'Estrange's Reign of Charles* I., 58.

There is another story told of the king's conduct during the peaceable part of his reign, which I had from Halewyn of Dort, who was one of the judges in the court of Holland, and was the wisest and greatest man I knew among them. He told me, he had it from his father, who being then the chief man of Dort was of the States, and had the secret communicated to him. When Isabella Clara Eugenia grew old, and began to decline, a great many of her council apprehending what miseries they would fall under, when they should be again in the hands of the Spaniards, formed a design of making themselves a free commonwealth, that, in imitation of the union among the cantons of Switzerland that were of both religions, there should be a perpetual confederacy between them and the States of the seven provinces. This they communicated to Henry Frederick prince of Orange, and to some of the States, who approved of it, but thought it necessary to engage the king of England in it. The prince of Orange told the English ambassador, that there was a matter of great consequence that was fit to be laid before the king; but it was of such a nature, and such persons were concerned in it, that it could not be communicated, unless the king would be pleased to promise absolute secrecy for the present. This the king did: and then the prince of Orange sent him the whole scheme. The secret was ill kept: either the king trusted it to some who discovered it, or the paper was stolen from him: for it was sent over to the court of Brussells. One of the ministry lost his head for it: and some took the alarm so quickly that they got to Holland out of danger. After this the prince of Orange had no commerce with our court, and often lamented that so great a design was so unhappily lost. He had as ill an opinion of the king's conduct of the war; for when the queen came over, and brought some of the generals with her, the prince said, after he had talked with them, (as the late king told me,) he did not wonder to see the affairs of England decline as they did, since he had talked with the king's generals.

I will not enter farther into the military part: for I remember an advice of Marshal Schomberg's, never to meddle in the relation of military matters. He said, some affected to relate those affairs in all the terms of war, in which they committed great errors, that exposed them to the scorn of all commanders, who must despise relations that pretend to an exactness when there were blunders in every part of them.

In the king's death the ill effect of extreme violent counsels discovered itself. Ireton hoped that by this all men concerned in it would become irreconcileable to monarchy, and would act as desperate men, and destroy all that might revenge that blood. But this had a very different effect. Something of the same nature had happened in lower instances before: but they were not the wiser for it. The earl of Strafford's death made all his former errors be forgotten: it raised his character, and cast a lasting odium on that way of proceeding; whereas he had sunk in his credit by any censure lower than death, and had been little pitied, if not thought justly punished. The like effect followed upon Archbishop Laud's death. He was a learned, a sincere and zealous man, regular in his own life, and humble in his private deportment; but was a hot, indiscreet man, eagerly pursuing some matters that were either very inconsiderable or mischievous, such as setting the communion table by the east walls of churches, bowing to it, and calling it the altar, the suppressing the Walloons' privileges, the breaking of lectures, the encouraging of sports on the Lord's day, with some other things that were of no value: and yet all the zeal and heat of that time was laid out on these. His severity in the star-chamber and in the high commission court, but above all his violent and indeed inexcusable injustice in the prosecution of bishop Williams, were such visible blemishes, that nothing but the putting him to death in so unjust a manner could have raised his character; which indeed it did to a degree of setting him up as a pattern, and the establishing all his notions as standards, by which judgments are to be made of men whether they are true to the church or not. His diary, though it was a base thing to publish it, represents him as an abject fawner on the duke of Buckingham, and as a superstitious regarder of dreams: his defence of himself, written with so much care when he was in the Tower, is a very mean performance. He intended in that to make an appeal to the world. In most particulars he excuses himself by this, that he was but one of many, who either in council, star-chamber, or high commission, voted illegal things. Now though this was true, yet a chief minister, and one in high favour, determines the rest so much, that they are

generally little better than machines acted by him. On other occasions he says, the thing was proved but by one witness. Now, how strong soever this defence may be in law, it is of no force in an appeal to the world; for if a thing is true, it is no matter how full or how defective the proof is. The thing that gave me the strongest prejudice against him in that book is, that after he had seen the ill effects of his violent counsels, and had been so long shut up, and so long at leisure to reflect on what had passed in the hurry of passion, in the exaltation of his prosperity, he does not in any one part of that great work acknowledge his own errors, nor mix in it any wise or pious reflections on the ill usage he met with or the unhappy steps he had made: so that while his enemies did really magnify him by their inhuman prosecution, his friends Heylin and Wharton have as much lessened him, the one by writing his life, and the other by publishing his vindication of himself.

But the recoiling of cruel counsels on the authors of them never appeared more eminently than in the death of king Charles the first, whose serious and christian deportment in it made all his former errors be entirely forgotten, and raised a compassionate regard to him, that drew a lasting hatred on the actors, and was the true occasion of the great turn of the nation in the year 1660. This was much heightened by the publishing of his book called Εἰκὼν Βασιλικὴ, which was universally believed to be his own: and that coming out soon after his death had the greatest run, in many impressions, that any book has had in our age. There was in it a nobleness and justness of thought with a greatness of style, that made it to be looked on as the best-written book in the English language: and the piety of the prayers made all people cry out against the murder of a prince, who thought so seriously of all his affairs in his secret meditations before God. I was bred up with a high veneration of this book: and I remember that, when I heard how some denied it to be his, I asked the earl of Lothian about it, who both knew the king very well and loved him little: he seemed confident it was his own work; for he said, he had heard him say a great many of those very periods that he found in that book. Being thus confirmed in that persuasion, I was not a little surprised, when in the year 1673, in which I had a great share of favour and free conversation with the then duke of York, afterwards king James the second, as he suffered me to talk very freely to him about matters of religion, and as I was urging him with somewhat out of his father's book, he told me that book was not of his father's writing, and that the letter to the prince of Wales was never brought to him. He said, Dr. Gauden wrote it: after the restoration he brought the duke of Somerset and the earl of Southampton both to the king and to himself, who affirmed that they knew it was his writing; and that it was carried down by the earl of Southampton, and showed the king during the treaty of Newport, who read it, and approved of it as containing his sense of things. Upon this he told me, that though Sheldon and the other bishops opposed Gauden's promotion because he had taken the covenant, yet the merits of that service carried it for him, notwithstanding the opposition made to it. There has been a great deal of disputing about this book: some are so zealous for maintaining it to be the king's, that they think a man false to the church that doubts it to be his: yet the evidence since that time brought to the contrary has been so strong, that I must leave that under the same uncertainty under which I found it. Only this is certain, that Gauden never wrote any thing with that force, his other writings being such, that no man from a likeness of style would think him capable of writing so extraordinary a book as that is*.

* Of the effect produced upon the public mind by the "Eikon Basilike," Burnet gives not at all an exaggerated account. A contemporary stated as his opinion that if it had appeared a few weeks earlier, the regicides would not have dared to conduct Charles to the scaffold. It had such an influence in winning favour to the royal cause, that Cromwell considered it essentially necessary that an answer to it should be published. He selected Selden for the execution of this task, and is said to have applied to him personally, and by their mutual friends, to persuade him to the undertaking. He unhesitatingly declined, and the reply, entitled, "Iconoclastes," was eventually written by the poet Milton. (Memoirs of Selden, 343.) Who was the author of the "Eikon Basilike?" is a question to which no positive reply can be given, but the evidence certainly preponderates in favour of Dr. Gauden's claim to that merit. The objection that the earl of Lothian had heard the king express the same sentiments in the same terms that are in that celebrated work, amounts to no evidence that he wrote it, for Dr. Gauden may have heard the same, and reduced them to writing. To say that the doctor never wrote any other work equal to this is only saying what may be said of all other authors—all of them have a masterpiece. But on the other hand, Mr. Todd has shown a close similarity in his style and modes of expression. Giving these objections the utmost weight to which they can be entitled as arguments from probabilities, they yet are nothing compared to

Upon the king's death the Scots proclaimed his son king, and sent over Sir George Wincam, that married my great aunt, to treat with him while he was in the isle of Jersey. The

the direct declaration of James II., who says, that the duke of Somerset and the earl of Southampton brought Dr. Gauden to him and to Charles II. for promotion, on the ground that he was the author; the earl declaring that he took the manuscript from Dr. Gauden to Charles I. for his approval, which he gave *. Mr. Higgins, in opposition to this, observes, that both James II. and Charles II. authorised the book to be published in editions of their father's works. To which we may rejoin that, as they knew it contained his sentiments, and had his approval, they might do so without any immoral concealment of the truth; the concealment was for no ill purpose; at the worst it threw a halo of merit round the dead, and would assist in checking the recurrence of hasty revolutions. As the subject is still interesting, relative works by Dr. Wordsworth, Mr. Todd, and Mr. Broughton, having within these few years been published, this note may be lengthened to lay the conflicting evidence collectively before the reader.

The direct testimony sustaining the claim of Dr. Gauden is as follows:—Dr. Walker, in his "True Account of the Author of a Book, entitled 'Eikon Basilike,'" published in 1692, states that he knows it was, with the exception of two chapters, contributed by Dr. Duppa, composed by Dr. Gauden; he says that the latter showed him the titles of several of the chapters, and allowed him to peruse and pass his opinion upon the appended discourses. That he accompanied the author to Dr. Duppa's to fetch some of the manuscript that the latter had been allowed to read; and that Dr. Gauden told Dr. Walker that Dr. Duppa had promised to write two chapters (which are the 16th and 24th) on the ordinance against the Common Prayer Book, and on the refusal to permit the king's chaplains to attend him. After the king's execution, Dr. Walker asked Dr. Gauden whether the king had ever seen the book, to which he replied, "I know it certainly no more than you, but I used my best endeavours that he might, for I delivered a copy of it to the marquis of Hertford, when he went to the treaty at the Isle of Wight, and entreated his lordship, if he could obtain any private opportunity, he would deliver it to his majesty, and humbly desire to know his majesty's pleasure concerning it. But the violence which threatened the king hastening so fast, he ventured to print it, and never knew what was the issue of sending it. For when the thing was done, he judged it not prudent to make inquiry about it." "I cannot positively and certainly say, that the king (Charles II.) knew I wrote it, because he was never pleased to take express notice of it to me. But I take it for granted he doth, for I am sure the duke of York doth, for he hath spoken of it to me, and owned it as a seasonable and acceptable service." Dr. Walker adds, that the wife and son of Dr. Gauden, and Mr. Gifford, who, he believes, wrote the copy sent to the king in the Isle of Wight, always spoke of it as being his composition. Lastly, the doctor says, that he was the agent employed to get the concluding part of the manuscript into the hands of Mr. Royston, the printer, to prevent the latter knowing the author.

In 1686, when Mr. Millington sold by auction the library of the earl of Anglesea, among other books disposed of was a copy of the "Eikon Basilike," in which the earl had written, "King Charles the Second and the duke of York did both (in the last sessions of parliament, 1675, when I showed them in the Lords' house the written copy of this book, wherein are some corrections and alterations, written with the late king Charles the first's own hand) assure me that this was none of the said king's compiling, but made by Dr. Gauden, which I here insert for the undeceiving others in this point, by attesting under my hand."—"ANGLESEY." (*Dr. Walker's True Account, 2nd ed.*)

When Mrs. Gauden died she left the family papers to her son John, and from him they came to his brother Charles. The sister of the latter's wife was married to a Mr. Arthur North, a very respectable merchant, living in 1699 on Tower Hill, and into his possession they eventually came as manager of his sister-in-law's affairs. They contained further testimony that Dr. Gauden was the author of the "Eikon Basilike." 1st. There was a narrative in the hand-writing of the bishop's widow positively asserting it as the truth. She says that when her husband had written it he showed it to Lord Capel, who recommended it to be shown to the king; to effect this the bishop applied to the marquis of Hertford, who reported that bishop Duppa having read part of the work to the king, the latter much approved of it, but wished the title to be altered; but what became of the manuscript the marquis could not tell. Dr. Gauden according to his widow, afterwards added the Essay on his Majesty being denied the attendance of his chaplains, and the Meditation upon Death. The bishop employed Mr. Simmonds to convey the manuscript to Mr. Royston, the printer, who never knew that the king was not the author. With many other particulars, Mrs. Gauden adds that Charles the Second was equally unacquainted with the real author until her husband told him.

2ndly, there were among the same papers a letter from secretary Nicholas to Dr. Gauden; a copy of one from the latter to lord-chancellor Clarendon; another from him to the duke of York; and a letter from Clarendon to Dr. Gauden, all relating to the same subject, and adding, in various degrees, attestation to the doctor's being the real author.—(*Toland's Amyntor.*)

In testimony that Charles the first was the actual author of the work, we have the following narrative:—That among the Naseby papers there was a copy of the Icon Basilike, and that major Huntingdon, by the permission of sir Thomas Fairfax, restored it to the king when he was at Hampton Court; but major Huntingdon told Dr. Walker that whatever papers he saw in the king's possession he was totally ignorant of their contents. It is at the same time to be observed, that it is very improbable that Fairfax did not send up the whole of the Naseby papers to the parliament. But it must not be omitted to be stated that sir William Dugdale relates that major Huntingdon told him very particularly that the book was bound in white vellum, and that though the heads of the chapters were in the writing of sir Edward Walker, corrected and interlined by the king, yet the prayers were entirely in the hand-writing of the latter. —(*Dugdale's Short View of the late Trouble.*)

Mr. Levet, a page of the back stairs, attested positively that he had seen the book at the Isle of Wight, and had often observed his majesty "writing his royal resentments of the bold and insolent behaviour of the soldiers." This is direct evidence, but there are no such reflections in the "Eikon Basilike."

Mr. Royston affirmed that he had his orders from the king to print the work, to make alterations, &c. But this does not contradict the testimony of Mrs. Gauden, &c., for they state that the printer never knew to the contrary. Mr. Barry declared that sir William Morton told him that the king once gave him a sheet of paper on which to

* Mrs. Gauden and others say it was the Marquis of Hertford.

king entered into a negociation with them, and sent him back with general assurances of consenting to every reasonable proposition that they should send him. He named the Hague for the place of treaty, he being to go thither in a few days. So the Scots sent over commissioners, the chief of whom were the earls of Cassilis and Lothian; the former of these was my first wife's father, a man of great virtue and of a considerable degree of good understanding: he was so sincere, that he would suffer no man to take his words in any other sense than as he meant them: he adhered firmly to his instructions, but with so much candour, that king Charles retained very kind impressions of it to his life's end. The man then in the greatest favour with the king was the duke of Buckingham: he was wholly turned to mirth and pleasure: he had the art of turning persons or things into ridicule beyond any man of the age: he possessed the young king with very ill principles, both as to religion and morality, and with a very mean opinion of his father, whose stiffness was with him a frequent subject of raillery. He prevailed with the king to enter into a treaty with the Scots, though that was vehemently opposed by almost all the rest that were about him, who pressed him to adhere steadily to his father's maxims and example *

write a despatch, having a passage previously written upon it, that is in the Eikon Basilike. This was read by him in the hurry of the war, and was immediately returned by him to the king; yet when he was an old man, he could repeat the very words. A witness may shew too good a memory.

The widow of Mr. Simmonds attested that she saw some of the manuscript of the Eikon Basilike in the possession of her husband; and he told her that it was written by the king. This is very weak evidence, because no man being employed to sustain that deception, would say otherwise if interrogated.

A Mr. Allen told Mr. Le Pla, who informed Dr. Goodall that Dr. Gauden told him that he had borrowed the book, and that he, Allen, sat up with him all one night whilst he copied it. Granting this to be perfectly accurate, Dr. Gauden might rationally make such a representation to preserve the secret. I shall not proceed to detail the secondary evidence, the comparison of Dr. Gauden's style and language contained in his acknowledged works with that in the "Eikon Basilike;" the testimony of the Marquis of Hertford, of James the Second, Charles the Second, &c., nor yet to estimate at length the comparative weight of conflicting testimony, but whoever will do so, as I have done by perusing the chief works that might have been published upon the subject, will, perhaps be similarly convinced that the preponderance of testimony and of argument is most decidedly in favour of Dr. Gauden. So clear does it appear to me, that I consider there would not be a doubt on the mind of a jury to whom it might be submitted—it is, in fact, clear decisive evidence, met principally by that which is hearsay. It is true that, in the former there are some discrepancies, but they are such as confirm rather than shake the combined testimony, for it is conclusive that there was no collusion among the witnesses, that they were not the mere repeaters of a prepared story. The variations amount to no more than will be found in all human testimony, substantial truth with circumstantial variety. Those who wish to examine for themselves may read the following works:—

For CHARLES.

Boswell's Life of Berwick.
Wagstaffe's Vindication of Charles.
Sir W. Dugdale's Short Account.
Wordsworth's Letters to the Archbishop of Canterbury.
Nicholl's Life of Bowyer.
Burton on the genuineness of Clarendon's History.
Young's "Several Evidences concerning the author of Eikon Basilike."

For GAUDEN.

Walker's True Account of the Author of Eikon Basilike.
Toland's Life of Milton and Awynton.
Broughton's Letter touching the Question, Who was the Autho of Icon Basilike?
Todd's Bishop Gauden the Author.

The claim and evidences of Bishop Gauden, being the author of the Eikon Basilike, were first published by Mr. Edmund Ludlow, in an essay entitled "Truth brought to Light." This appeared in the year 1693.

Bishop Kennett in his Register and Chronicle vainly endeavours to reconcile the conflicting evidence by supposing that the king's MSS. being placed in the hands of Mr. Symonds for publication, the latter, when pursued by the Cromwell party, put them into the custody of Dr. Gauden, who finally, with the aid of Dr. Duppa, enlarged and prepared the work for the press, as it finally appeared. —(Kennett's Register and Chronicle, 774, 642.)

* This George Villiers, Duke of Buckingham, was the son of him who died by the knife of Felton; a death which, if justifiable, he merited even more than his father. A more unprincipled profligate never existed. He killed the Duke of Shrewsbury in a duel, and passed the night with the duchess in the shirt stained by her husband's blood! In his resentments no course was too desperate; he caballed to subvert the government when dissatisfied with the court—and hired Blood to seize the duke of Ormond with whom he was in enmity. He was Protean in his character—he was an alchymist—a musician—a poet—a statesman—a wit—a dramatist—a mimic—this last qualification aided him to conduct himself with the consummate hypocrisy for which he was celebrated. Clarendon gives him the character with which Burnet agrees. That nobleman in his autobiography says, "That Buckingham had a mortal hatred with the Lady Castlemaine, and when in the king's displeasure, which he frequently was, he forbore going to the court, and revenged himself upon it by all the merry tales he could tell of what was done there. It cannot be imagined, considering the loose life he led, a life more by night than by day, in all the liberties that nature could desire or wit invent, how great an influence he had in both houses of parliament. His quality and condescensions, the pleasantness of his humour and conversation, the extravagance and sharpness of his wit, unrestrained by any modesty or religion, drew persons of all affections and inclinations to like his company, and to believe that the levities and vanities would be wrought off by age." In this expectation they were mistaken, his libertinism was adhered to until his death. He died miserably, aged sixty, of a fever

When the king came to the Hague, William duke of Hamilton and the earl of Lauderdale, who had left Scotland, entered into a great measure of favour and confidence with him. The marquis of Montrose came likewise to him, and undertook if he would follow his counsels to restore him to his kingdoms by main force: but when the king desired the prince of Orange to examine the methods which he proposed, he entertained him with a recital of his own performances and of the credit he was in among the people; and said, the whole nation would rise if he went over, though accompanied only with a page. He desired of the king nothing but power to act in his name, with a supply in money, and a letter recommending him to the king of Denmark for a ship to carry him over, and for such arms as he could spare. With that the king gave him the garter. He got first to Orkney, and from thence into the highlands of Scotland; but could perform nothing of what he had undertaken. At last he was betrayed by one of those to whom he trusted himself, Mackloud of Assin, and was brought over a prisoner to Edinburgh. He was carried through the streets with all the infamy that brutal men could contrive: and in a few days he was hanged on a very high gibbet: and his head and quarters were set up in divers places of the kingdom. His behaviour under all that barbarous usage was as great and firm to the last, looking on all that was done to him with a noble scorn, as the fury of his enemies was black and universally detested. This cruelty raised a horror in all sober people against those who could insult over such a man in misfortunes. The triumphs that the preachers made on this occasion rendered them odious, and made lord Montrose to be both more pitied and lamented, than otherwise he could have been*. This happened while the Scotch commissioners were treating with the

brought on by violent exercise, in an obscure house at Kirby Moorside, in Yorkshire. This was in 1687. "His wit," Clarendon says, "was exercised with most licence against the church, the law, and the court;" of these but few sallies remain on record; but that which he exercised against the stage in his "Rehearsal," still obtains applause.

Dryden has recorded his character, and Pope his death-bed, in some of their severest satires. The duke had satirised the former as "Bayes" in his farce of "The Rehearsal;" and in return Dryden thus describes him as Zimi in Absalom and Achitophel."—

"A man so various that he seemed to be
Not one, but all mankind's epitome:
Stiff in opinions, always in the wrong;
Was every thing by starts, and nothing long;
But in the course of one revolving moon
Was chemist, fiddler, statesman and buffoon;
Then all for women, painting, rhyming, drinking,
Besides ten thousand freaks that died in thinking.
* * *
In squandering wealth was his peculiar art:
Nothing went unrewarded, but desert;
Beggar'd by fools, whom still he found too late;
He had his jest, and they had his estate.
He laughed himself from Court; then sought relief
By forming parties, but could ne'er be chief;
Thus, wicked but in will, of means bereft,
He left not faction, but of that was left."

Pope, in his "Epistle to Lord Bathurst," thus strikingly sketches the concluding scene of this profligate's life.

"In the worst inn's worst room, with mat half hung,
The floors of plaster, and the walls of dung,
On once a flock-bed, but repair'd with straw,
With tape-ty'd curtains, never meant to draw,
The George and Garter dangling from that bed
Where tawdry yellow strove with dirty red,
Great Villiers lies—Alas! how chang'd from him,
That life of pleasure, and that soul of whim!
Gallant and gay, in Cliveden's proud alcove
The bower of wanton Shrewsbury and love;
Or just as gay, at council, in a ring
Of mimick'd statesmen, and their merry king.
No wit to flatter, left of all his store!
No fool to laugh at, which he valued more:
There, victor of his health, of fortune, friends,
And fame, this lord of useless thousands ends."

* James Graham, Marquis of Montrose, was one of the bravest officers that add lustre to our national history. Granting that he relied too much upon his influence with his countrymen, yet this detracts nothing from the merit of his courage—for it is a merit to be morally courageous. He believed it to be for the interest of his sovereign to engage in the two Scottish expeditions, of which he appeared as the leader; and he obeyed the dictates of duty against such fearful odds, as have but few if any parallels in history. Clarendon, with whom he was not on the most friendly footing, speaks of him highly and justly. "Montrose was in his nature fearless of danger, and never declined any enterprise for the difficulty of going through with it, but exceedingly affected those which seemed desperate to other men, and did believe somewhat to be in himself above other men, which made him live more easily towards those who were, or were willing to be, inferior to him (towards whom he exercised wonderful civility and generosity) than with his superiors or equals. He was naturally jealous, and suspected those who did not concur with him in the way, not to mean so well as he. He was not without vanity, but his virtues were much superior, and he well deserved to have his memory preserved and celebrated among the most illustrious persons of the age in which he lived."—(Hist. of Rebellion, iii. 275, fol. ed.)

The name of his betrayer, his treacherous acquaintance and professed friend, Lord Assin or Aston, deserves to be held as eternally infamous. Montrose died as might be anticipated, with courage and magnanimity, professing his loyalty and piety. To detail the circumstances of his execution would be revolting. One particular, however, requires explanation. Clarendon says, that just before the termination of his sufferings, "the hangman brought the book that had been published of his heroic actions, whilst he had commanded in that kingdom, which book was tied in a small cord that was put about his neck. The marquis smiled at this new instance of their malice, and thanked them for it, saying 'he was pleased that it should be there; and was prouder of wearing it than ever he had

king at the Hague. The violent party in Scotland were for breaking off the treaty upon it, though by the date of lord Montrose's commission it appeared to have been granted before the treaty was begun: but it was carried not to recall their commissioners: nor could the king on the other hand be prevailed on by his own court to send them away, upon this cruelty to a man who had acted by his commission, and yet was so used. The treaty was quickly concluded: the king was in no condition to struggle with them, but yielded to all their demands, of taking the covenant, and suffering none to be about him but such as took it. He sailed home to Scotland with some Dutch men of war, with which the prince of Orange furnished him, with all the stock of money and arms that his credit could raise. That indeed would not have been very great, if the prince of Orange had not joined his own to it. The duke of Hamilton and the earl of Lauderdale were suffered to go home with him: but soon after his landing an order came to put them from him. The king complained of this: but Duke Hamilton at parting told him, he must prepare for things of a harder digestion: he said, at present he could do him no service: the marquis of Argyle was then in absolute credit: therefore he desired that he would study to gain him, and give him no cause of jealousy on his account. This king Charles told me himself, as a part of duke Hamilton's character. The duke of Buckingham took all the ways possible to gain lord Argyle and the ministers: only his dissolute course of life was excessive scandalous; which to their great reproach they connived at, because he advised the king to put himself wholly into their hands. The king wrought himself into as grave a deportment as he could: he heard many prayers and sermons, some of a great length. I remember in one fast day there were six sermons preached without intermission. I was there myself, and not a little weary of so tedious a service. The king was not allowed so much as to walk abroad on Sundays: and if at any time there had been any gaiety at court, such as dancing or playing at cards, he was severely reproved for it. This was managed with so much rigour, and so little discretion, that it contributed not a little to beget in him an aversion to all sort of strictness in religion. All that had acted on his father's side were ordered to keep at a great distance from him, and because the common people showed some affection to the king, the crowds that pressed to see him were also kept off from coming about him. Cromwell was not idle; but seeing the Scots were calling home their king, and knowing that from thence he might expect an invasion into England, he resolved to prevent them, and so marched into Scotland with his army. The Scots brought together a very good army: the king was suffered to come once to see it, but not to stay in it; for they were afraid he might gain too much upon the soldiers; so he was sent away.

The army was indeed one of the best that ever Scotland had brought together; but it was ill commanded: for all that had made defection from their cause, or that were thought indifferent as to either side, which they called detestable neutrality, were put out of commission. The preachers thought it an army of saints, and seemed well assured of success. They drew near Cromwell, who being pressed by them retired towards Dunbar, where his ships and provisions lay. The Scots followed him, and were posted on a hill about a mile from thence, where there was no attacking them. Cromwell was then in great distress, and looked on himself as undone. There was no marching towards Berwick, the ground was too narrow: nor could he come back into the country without being separated from his ships, and starving his army. The least evil seemed to be to kill his horses, and put his army on board, and sail back to Newcastle; which, in the disposition that England was in at that time, would have been all their destruction, for it would have occasioned an universal insurrection for the king. They had not above three days' forage for their horses. So Cromwell called his officers to a day of seeking the Lord, in their style. He loved to talk much of that matter all his life

been of the garter.'" The little octavo volume alluded to is of very rare occurrence. The title-page is as follows:—

"J. G. De rebus auspiciis serenissimi et potentissimi Caroli Dei gratia Magnæ Britanniæ regis, &c. sub imperio illustrissimi Jacobi Montisrosarum Marchionis, &c. Supremi Scotiæ Gubernatoris CIↃIↃCXLIV et duobus sequentibus præclare gestis, Commentarius. Interprete A. S." It was published at Paris in 1648. The initials J. G. are those of its hero (Jacobus Græmus), as A. S. are of Agricola Sophocardius, the latinised name of the author, George Wisheart, or Wishart, a clergyman who eventually became Bishop of Edinburgh. The work is distinguished for the purity and elegance of its latinity as much as for its rarity. Its English translations are to be met with more frequently.

" Montrose was executed in 1650 "

long afterwards: he said, he felt such an enlargement of heart in prayer, and such quiet upon it, that he bade all about him take heart, for God had certainly heard them, and would appear for them. After prayer they walked in the earl of Roxburgh's gardens that lay under the hill: and by prospective glasses they discerned a great motion in the Scottish camp: upon which Cromwell said, "God is delivering them into our hands, they are coming down to us." Lesley was in the chief command: but he had a committee of the states to give him his orders, among whom Waristoun was one. These were weary of lying in the fields, and thought that Lesley made not haste enough to destroy those sectaries; for so they came to call them. He told them, by lying there all was sure; but that by engaging in action with gallant and desperate men all might be lost: yet they still called on him to fall on. Many have thought that all this was treachery done on design to deliver up our army to Cromwell; some laying it upon Lesley, and others upon my uncle. I am persuaded there was no treachery in it: only Waristoun was too hot, and Lesley was too cold, and yielded too easily to their humours, which he ought not to have done. They were all the night employed in coming down the hill: and in the morning, before they were put in order, Cromwell fell upon them. Two regiments stood their ground, and were almost all killed in their ranks: the rest did run in a most shameful manner: so that both their artillery and baggage were lost, and with these a great many prisoners were taken, some thousands in all *. Cromwell upon this advanced to Edinburgh, where he was received without any opposition: and the castle that might have made a long resistance did capitulate. So all the southern part of Scotland came under contribution to Cromwell. Stirling was the advanced garrison on the king's side. He himself retired to St. Johnstoun. A parliament was called that sat for some time at Stirling, and for some time at St. Johnstoun, in which a full indemnity was passed, not in the language of a pardon but of an act of approbation: only all that joined with Cromwell were declared traitors. But now the way of raising a new army was to be thought on.

A question had been proposed both to the committee of states and to the commissioners of the kirk, whether in this extremity those who had made defection, or had been hitherto too backward in the work, might not upon the profession of their repentance be received into public trust, and admitted to serve in the defence of their country. To this answers were distinctly given by two resolutions: the one was, that they ought to be admitted to make profession of their repentance: and the other was, that after such professions made they might be received to defend and serve their country.

Upon this a great division followed in the kirk: those who adhered to these resolutions were called the *Public Resolutioners:* but against these some of those bodies protested, and they, together with those who adhered to them, were called the *Protestors.* On the one hand it was said, that every government might call out all that were under its protection to

* Cromwell, in his letter announcing the victory, confesses that, previous to the engagement, the Scotch had every advantage. In numbers they were 22,000, opposed to only 11,000 English, and they had "gathered towards the hills, having in this posture a great advantage." "The enemy's word was '*The Covenant,*' ours '*The Lord of Hosts.*' Before our foot could come up, the enemy made a gallant resistance, and there was a very hot dispute at sword's point between our horse and theirs. Our first foot, after they had discharged their duty, being overpowered by the enemy, received some repulse, which they soon recovered: but my own regiment did come seasonably in; and, at the push of pike, did repel the stoutest regiment the enemy had there, merely with the courage the Lord was pleased to give, which proved a great amazement to the residue of their foot. This being the first action between the foot, the horse, in the mean time, did, with a great deal of courage and spirit, beat back all opposition, charging through the bodies of the enemy's horse and foot; who were, after the first repulse given, made, by the Lord of Hosts, as stubble to their swords." About 3000 were slain, nearly 10,000 taken prisoners, all the baggage, 30 cannon, 15,000 arms, and 200 colours. The English army lost about 20 men. The slaughter was in rout and pursuit over eight miles. Cromwell concludes with a great abundance of misplaced religious reflections. —(Parliament History, xix. 346, &c.) Clarendon gives a similar relation, adding that "the foot depended much upon their preachers, who preached, and prayed, and assured them of victory till the English were upon them; and some of them were knocked on the head whilst they were promising the victory." It would never be believed that the army, so dreadfully cut to pieces, was fighting to place Charles the Second on the English throne, if Clarendon's description of its destruction alone recorded the event. He very calmly observes, "Never victory was attended with less lamentations—*the king was glad of it, as the greatest happiness that could befal him,* in the loss of so strong a body of his enemies, who, if they should have prevailed, his majesty did believe they would have shut him up in a prison the next day; which had been only a stricter confinement than he suffered already: for the lord Lorn being captain of his guard, had so watchful a care of him both night and day, that his majesty could not go any whither without his leave."—(*Hist. of Rebellion,* iii. 294, fol. ed.)

its defence: this seemed founded on the law of nature and of nations: and, if men had been misled, it was a strange cruelty to deny room for repentance: this was contrary to the nature of God and to the Gospel, and was a likely mean to drive them to despair: therefore after two years' time it seemed reasonable to allow them to serve according to their birthright in parliament, or in other hereditary offices, or in the army; from all which they had been excluded by an act made in the year 1649, which ranged them in different classes, and was from thence called "the act of classes." But the Protestors objected against all this, that to take in men of known enmity to the cause was a sort of betraying it, because it was the putting it in their power to betray it; that to admit them into a profession of repentance was a profanation, and a mocking of God: it was visible, they were willing to comply with these terms, though against their conscience, only to get into the army: nor could they expect a blessing from God on an army so constituted. And as to this particular they had great advantage; for this mock penitence was indeed a matter of great scandal. When these resolutions were passed with this protestation, a great many of the five western counties, Clydesdale, Renfrew, Ayr, Galloway and Nithsdale, met, and formed an association apart, both against the army of sectaries, and against this new defection in the kirk party. They drew a remonstrance against all the proceedings in the treaty with the king, when, as they said, it was visible by the commission he granted to Montrose, that his heart was not sincere: and they were also against the tendering him the covenant, when they had reason to believe he took it not with a resolution to maintain it, since his whole deportment and private conversation showed a secret enmity to the work of God: and, after an invidious enumeration of many particulars, they imputed the shameful defeat at Dunbar to their prevaricating in these things; and concluded with a desire, that the king might be excluded from any share in the administration of the government, and that his cause might be put out of the state of the quarrel with the army of the sectaries. This was brought to the committee of the states at St. Johnstoun, and was severely inveighed against by sir Thomas Nicholson, the king's advocate, or attorney general, there, who had been till then a zealous man of their party: but he had lately married my sister, and my father had great influence on him. He prevailed so, that the remonstrance was condemned as divisive, factious, and scandalous: but that the people might not be too much moved with these things, a declaration was prepared to be set out by the king for the satisfying of them. In it there were many hard things. The king owned the sin of his father in marrying into an idolatrous family: he acknowledged the bloodshed in the late wars lay at his father's door: he expressed a deep sense of his own ill education, and the prejudices he had drunk in against the cause of God, of which he was now very sensible: he confessed all the former parts of his life to have been a course of enmity to the work of God: he repented of his commission to Montrose, and of every thing he had done that gave offence: and with solemn protestations he affirmed, that he was now sincere in his declaration, and that he would adhere to it to the end of his life in Scotland, England, and Ireland.

The king was very uneasy when this was brought to him. He said, he could never look his mother in the face if he passed it. But when he was told it was necessary for his affairs, he resolved to swallow the pill without farther chewing it. So it was published, but had no good effect; for neither side believed him sincere in it. It was thought a strange imposition to make him load his father's memory in such a manner. But, while the king was thus beset with the high and more moderate kirk parties, the old cavaliers sent to him, offering that if he would cast himself into their hands they would meet him near Dundee with a great body. Upon this the king, growing weary of the sad life he led, made his escape in the night, and came to the place appointed: but it was a vain undertaking; for he was met by a very inconsiderable body at Clova, the place of rendezvous. Those at St. Johnstoun being troubled at this, sent Colonel Montgomery after him, who came up and pressed him to return very rudely: so the king came back. But this had a very good effect. The government saw now the danger of using him ill, which might provoke him to desperate courses: after that, he was used as well as that kingdom in so ill a state was capable of. He saw the necessity of courting the marquis of Argyle, and therefore made him great offers: at last he

talked of marrying his daughter. Lord Argyle was cold and backward: he saw the king's heart lay not to him: so he looked on all offers, but as so many snares. His son, the lord Lorn, was captain of the guards; and he made his court more dexterously, for he brought all persons that the king had a mind to speak with at all hours to him, and was in all respects not only faithful but zealous. Yet this was suspected as a collusion between the father and the son. The king was crowned on the first of January: and there he again renewed the covenant: and now all people were admitted to come to him, and to serve in the army. The two armies lay peaceably in their winter quarters. But when the summer came on, a body of the English passed the Frith, and landed in Fife. So the king, having got up all the forces he had expected, resolved on a march into England. Scotland could not maintain another year's war. This was a desperate resolution: but there was nothing else to be done.

I will not pursue the relation of the march to Worcester, nor the total defeat given the king's army on the third of September, the same day in which Dunbar fight had been fought the year before. These things are so well known, as is also the king's escape, that I can add nothing to the common relations that have been over and over made of them *. At the same time that Cromwell followed the king into England, he left Monk in Scotland with an army sufficient to reduce the rest of the kingdom. The town of Dundee made a rash and ill-considered resistance: it was after a few days' siege taken by storm: much blood was shed, and the town was severely plundered: no other place made any resistance. I remember well of three regiments coming to Aberdeen. There was an order and discipline, and a face of gravity and piety among them, that amazed all people. Most of them were Independents and Anabaptists: they were all gifted men, and preached as they were moved. But they never disturbed the public assemblies in the churches but once. They came and reproached the preachers for laying things to their charge that were false. I was then present: the debate grew very fierce: at last they drew their swords, but there was no hurt done: yet Cromwell displaced the governor for not punishing this.

When the low-countries in Scotland were thus reduced, some of the more zealous of the nobility went to the Highlands in the year 1653. The earl of Glencairn, a grave and sober man, got the tribe of the Macdonalds to declare for the king. To these the lord Lorn came with about a thousand men: but the jealousy of the father made the son be suspected. The marquis of Argyle had retired into his country when the king marched into England; and did not submit to Monk till the year 52. Then he received a garrison; but lord Lorn surprised a ship that was sent about with provisions to it, which helped to support their little ill-formed army. Many gentlemen came to them; and almost all the good horses of the kingdom were stolen, and carried up to them. They made a body of about 3000: of these they had about 500 horse. They endured great hardships; for those parts were not fit to entertain men that had been accustomed to live softly. The earl of Glencairn had almost spoiled all; for he took much upon him: and upon some suspicion he ordered lord Lorn to be clapt up, who had notice of it, and prevented it by an escape: otherwise they had fallen to cut one another's throats, instead of marching to the enemy. The earl of Balcarras, a virtuous and knowing man, but somewhat morose in his humour, went also among them. They differed in their counsels: lord Glencairn was for falling into the low-countries: and he began to fancy he should be another Montrose. Balcarras on the other hand was for keeping in their fastnesses: they made a show of a body for the king, which they were to keep up in

* The hair-breadth escapes that Charles had, are related at length in Clarendon's History of the Rebellion; and in a volume published in 1725, called "Boscobel, or a complete History of the most miraculous preservation of king Charles the Second after the battle of Worcester." These are both very faithful narratives. The battle was fought on the 3rd of September, the very day on which the same troops were defeated at Dunbar in the previous year: this was always considered by Cromwell his propitious day, which accounts for the hurried manner in which he brought on the action. If he had waited for regular movements, the attack must have been postponed until the following morning. It was a remarkable coincidence that it was on the 3rd of September Cromwell died. Charles had no chance to win at Worcester, he was outnumbered and outgeneralled. His troops were dispirited, and his officers disunited. Lesley was jealous of Middleton; and the duke of Buckingham, young, inexperienced in war, and profligate as he was, yet pressed to be made commander-in-chief over them both!—*Clarendon, Hist. of the Rebellion.*

some reputation as long as they could, till they could see what assistance the king might be able to procure them from beyond sea of men, money, and arms; whereas if they went out of those fast grounds, they could not hope to stand before such a veteran and well-disciplined army as Monk had; and if they met with the least check, their tumultuary body would soon melt away.

Among others one sir Robert Murray, that had married lord Balcarras's sister, came among them; he had served in France, where he had got into such a degree of favour with cardinal Richelieu, that few strangers were ever so much considered by him as he was. He was raised to be a colonel there, and came over for recruits when the king was with the Scotch army at Newcastle. There he grew into high favour with the king, and laid a design for his escape, of which I have given an account in duke Hamilton's memoirs: he was the most universally beloved and esteemed by men of all sides and sorts, of any man I have ever known in my whole life. He was a pious man, and in the midst of armies and courts he spent many hours a day in devotion. He had gone through the easy parts of mathematics, and knew the history of nature beyond any man I ever yet knew. He had a genius much like Peiriski, as he is described by Gassendi. He was afterwards the first former of the Royal Society, and its first president; and while he lived he was the life and soul of that body. He had an equality of temper in him that nothing could alter; and was in practice the only Stoic I ever knew. He had a great tincture of one of their principles; for he was much for absolute decrees. He had a most diffused love to all mankind, and he delighted in every occasion of doing good, which he managed with great discretion and zeal. He had a superiority of genius and comprehension to most men: and had the plainest, but with all the softest, way of reproving, chiefly young people, for their faults that I ever met with. Sir Robert Murray was in such credit in that little army, that lord Glencairn took a strange course to break it, and to ruin him. A letter was pretended to be found at Antwerp, as written by him to William Murray of the bed-chamber, that had been whipping-boy to king Charles the first, and upon that had grown up to a degree of favour and confidence that was very particular: he had a lewd creature there, whom he turned off: and she, to be revenged on him, framed this plot against him. This ill-forged letter gave an account of a bargain sir Robert had made with Monk for killing the king, which was to be executed by Mr. Murray: so he prayed him in his letter to make haste and despatch it. This was brought to the earl of Glencairn: so sir Robert was severely questioned upon it, and put in arrest: and it was spread about through a rude army that he intended to kill the king, hoping it seems that some of these wild people believing it would have fallen upon him without using any forms. Upon this occasion sir Robert practised in a very eminent manner his true christian philosophy, without showing so much as a cloud in his whole behaviour.

The earl of Balcarras left the Highlands, and went to the king; and showed him the necessity of sending a military man to command that body, to whom they would submit more willingly than to any of the nobility. Middletoun was sent over, who was a gallant man and a good officer: he had first served on the parliament's side; but he turned over to the king, and was taken at Worcester fight, but made his escape out of the Tower. He, upon his coming over, did for some time lay the heats that were among the Highlanders, and made as much of that face of an army for another year as was possible.

Drummond was sent by him to Paris with an invitation to the king to come among them; for they had assurances sent them, that the whole nation was in a disposition to rise with them: and England was beginning to grow weary of their new government, the army and the parliament being on ill terms. The English were also engaged in a war with the States: and the Dutch upon that account might be inclined to assist the king to give a diversion to their enemies' forces. Drummond told me, that upon his coming to Paris he was called to the little council that was then about the king: and when he had delivered his message, chancellor Hyde asked him, how the king would be accommodated if he came among them: he answered, not so well as was fitting, but they would all take care of him to furnish him with every thing that was necessary. He wondered that the king did not check the chancellor in his demand; for he said, it looked strange to him, that when they were hazarding

their lives to help him to a crown, he should be concerned for accommodation. He was sent back with good words and a few kind letters. In the end of the year 1654 Morgan marched into the Highlands, and had a small engagement with Middletoun, which broke that whole matter, of which all people were grown weary; for they had no prospect of success, and the low-countries were so over-run with robberies on the pretence of going to assist the Highlanders, that there was an universal joy at the dispersing of that little unruly army.

After this the country was kept in great order: some castles in the Highlands had garrisons put in them, that were so careful in their discipline, and so exact to their rules, that in no time the Highlands were kept in better order than during the usurpation. There was a considerable force of about 7 or 8000 men kept in Scotland: these were paid exactly, and strictly disciplined. The pay of the army brought so much money into the kingdom, that it continued all that while in a very flourishing state. Cromwell built three citadels at Leith, Ayr, and Inverness, besides many little forts. There was good justice done, and vice was suppressed and punished; so that we always reckon those eight years of usurpation a time of great peace and prosperity. There was also a sort of union of the three kingdoms in one parliament, where Scotland had its representative. The marquis of Argyle went up one of our commissioners.

The next scene I must open relates to the church, and the heats raised in it by the public resolutions, and the protestation made against them. New occasions of dispute arose. A general assembly was in course to meet; and sat at St. Andrews: so the commission of the kirk wrote a circular letter to all the presbyteries, setting forth all the grounds of their resolutions, and complaining of those who had protested against them; upon which they desired that they would choose none of those who adhered to the protestation to represent them in the next assembly. This was only an advice, and had been frequently practised in the former years: but now it was highly complained of, as a limitation on the freedom of elections, which inferred a nullity on all their proceedings: so the protestors renewed their protestation against the meeting upon a higher point, disowning that authority which hitherto they had magnified as the highest tribunal in the church, in which they thought Christ was in his throne. Upon this a great debate followed, and many books were written in a course of several years. The public men said, this was the destroying of presbytery, if the lesser number did not submit to the greater: it was a sort of prelacy, if it was pretended that votes ought rather to be weighed than counted: parity was the essence of their constitution: and in this all people saw they had clearly the better of the argument. The protestors urged for themselves, that, since all protestants rejected the pretence of infallibility, the major part of the church might fall into errors, in which case the lesser number could not be bound to submit to them: they complained of the many corrupt clergymen who were yet among them, who were leavened with the old leaven, and did on all occasions show what was still at heart notwithstanding all their outward compliance: (for the episcopal clergy that had gone into the covenant and presbytery to hold their livings, struck in with great heat to inflame the controversy: and it appeared very visibly that presbytery, if not held in order by the civil power, could not be long kept in quiet:) if in the Supreme Court of Judicature the majority did not conclude the matter, it was not possible to keep up their beloved parity: it was confessed that in doctrinal points the lesser number was not bound to submit to the greater; but in the matters of mere government it was impossible to maintain the presbyterian form on any other bottom.

As this debate grew hot, and they were ready to break out into censures on both sides, some were sent down from the commonwealth of England to settle Scotland: of these sir Henry Vane was one. The resolutioners were known to have been more in the king's interest: so they were not so kindly looked on as the protestors. Some of the English junta moved, that pains should be taken to unite the two parties. But Vane opposed this with much zeal: he said, would they heal the wound that they had given themselves, which weakened them so much? The setting them at quiet could have no other effect, but to heal and unite them in their opposition to their authority: he therefore moved, that they might be left at liberty to fight out their own quarrels, and be kept in a greater dependence on the

temporal authority, when both sides were forced to make their appeal to it: so it was resolved to suffer them to meet still in their presbyteries and synods, but not in general assemblies, which had a greater face of union and authority.

This advice was followed: so the division went on. Both sides studied when any church became vacant to get a man of their own party to be chosen to succeed in the election: and upon these occasions many tumults happened: in some of them stones were thrown, and many were wounded, to the great scandal of religion. In all these disputes the protestors were the fiercer side: for being less in number they studied to make that up with their fury. In one point they had the other at a great advantage, with relation to their new masters, who required them to give over praying for the king. The protestors were weary of doing it, and submitted very readily: but the others stood out longer; and said, it was a duty lying on them by the covenant, so they could not let it fall. Upon that the English council set out an order, that such as should continue to pray for the king should be denied the help of law to recover their tithes, or as they called them their stipends. This touched them in a sensible point: but, that they might not seem to act upon the civil authority, they did enact it in their presbyteries, that since all duties did not oblige at all times, therefore, considering the present juncture, in which the king could not protect them, they resolved to discontinue that piece of duty. This exposed them to much censure, since such a carnal consideration as the force of law for their benefices, (which all regard but too much, though few will own it,) seemed to be that which determined them.

This great breach among them being rather encouraged than suppressed by those who were in power, all the methods imaginable were used by the protestors to raise their credit among the people. They preached often, and very long; and seemed to carry their devotions to a greater sublimity than others did. Their constant topic was, the sad defection and corruption of the judicatories of the church, and they often proposed several expedients for purging it. The truth was, they were more active, and their performances were livelier, than those of the public men *. They were in nothing more singular than in their communions. In many places the sacrament was discontinued for several years; where they thought the magistracy, or the more eminent of the parish, were engaged in what they called the defection, which was much more looked at than scandal given by bad lives. But where the greatest part was more sound, they gave the sacrament with a new and unusual solemnity. On the Wednesday before they held a fast day with prayers and sermons for about eight or ten hours together: on the Saturday they had two or three preparation sermons; and on the Lord's day they had so very many, that the action continued above twelve hours in some places; and all ended with three or four sermons on Monday for thanksgiving. A great many ministers were brought together from several parts; and high pretenders would have gone forty or fifty miles to a noted communion. The crowds were far beyond the capacity of their churches, or the reach of their voices: so at the same time they had sermons in two or three different places: and all was performed with great show of zeal. They had stories of many signal conversions that were wrought on these occasions.

It is scarce credible what an effect this had among the people, to how great a measure of knowledge they were brought, and how readily they could pray extempore, and talk of divine matters. All this tended to raise the credit of the protestors. The resolutioners tried to imitate them in these practices: but they were not thought so spiritual, nor so ready at them: so the others had the chief following. When the judicatories of the church were near an equality of the men of both sides, there were perpetual janglings among them: at last they proceeded to deprive men of both sides, as they were the majority in the judicatories: but because the possession of the church, and the benefice, was to depend on the orders of the temporal courts, both sides made their application to the privy council that Cromwell had set up in Scotland: and they were by them referred to Cromwell himself. So they sent deputies up to London. The protestors went in great numbers: they came nearer both to the principles and to the temper that prevailed in the army: so they were looked on as the better men, on whom, by reason of the first rise of the difference, the government

* The meaning must be, by public men, those who acted pursuant to the resolutions of the general assemblies, in whom the public authority of the kirk was then vested by law.—(*Note by the Author's Son.*)

might more certainly depend: whereas the others were considered as more in the king's interests.

The resolutioners sent up one James Sharp, who had been long in England, and was an active and eager man: he had a very small proportion of learning, and was but an indifferent preacher: but having some acquaintance with the presbyterian ministers at London, whom Cromwell was then courting much, by reason of their credit in the city, he was, by an error that proved fatal to the whole party, sent up in their name to London; where he continued for some years soliciting their concerns, and making himself known to all sorts of people. He seemed more than ordinarily zealous for presbytery. And, as Cromwell was then designing to make himself king, Dr. Wilkins told me he often said to him, no temporal government could have a sure support without a national church that adhered to it, and he thought England was capable of no constitution but episcopacy, to which, he told me, he did not doubt but Cromwell would have turned, as soon as the design of his kingship was settled. Upon this Wilkins spoke to Sharp, that it was plain by their breach, that presbytery could not be managed so as to maintain order among them, and that an episcopacy must be brought in to settle them: but Sharp could not bear the discourse, and rejected it with horror *. I have dwelt longer on this matter, and opened it more fully than was necessary, if I had not thought that this may have a good effect on the reader, and show him how impossible it is in a parity to maintain peace and order, if the magistrate does not interpose: and if he does, that will be cried out upon by the zealots of both sides, as abominable erastianism.

From these matters I go next to set down some particulars that I knew concerning Cromwell, that I have not yet seen in books. Some of these I had from the earls of Carlisle and Orrery: the one had been the captain of his guards; and the other had been the president of his council in Scotland. But he from whom I learned the most was Stouppe, a Grison by birth, then minister of the French church in the Savoy, and afterwards a brigadier-general in the French armies; a man of intrigue, but of no virtue; he adhered to the protestant religion as to outward appearance: he was much trusted by Cromwell in foreign affairs; in which Cromwell was often at a loss, and having no foreign language, but the little Latin that stuck to him from his education, which he spoke very viciously and scantily, had not the necessary means of informing himself.

When Cromwell first assumed the government, he had three great parties of the nation all against him, the episcopal, the presbyterian, and the republican party. The last was the most set on his ruin, looking on him as the person that had perfidiously broke the House of Commons, and was setting up for himself. He had none to rely on but the army; yet that enthusiastic temper, that he had taken so much pains to raise among them, made them very intractable: many of the chief officers were broken, and imprisoned by him; and he flattered the rest the best he could. He went on in his old way of long and dark discourses, sermons, and prayers. As to the cavalier party, he was afraid both of assassination and other plottings from them. As to the former of these he took a method that proved very effectual: he said often and openly, that in a war it was necessary to return upon any side all the violent things that any of the one side did to the other: this was done for preventing greater mischief, and for bringing men to fair war; therefore, he said, assassinations were such detestable things, that he would never begin them: but if any of the king's party should endeavour to assassinate him, and fail in it, he would make an assassinating war of it, and destroy the whole family: and he pretended he had instruments to execute it, whensoever he should give order for it. The terror of this was a better security to him than his guards.

The other as to their plottings was the more dangerous. But he understood that one sir Richard Willis was chancellor Hyde's chief confidant, to whom he wrote often, and to whom all the party submitted, looking on him as an able and wise man in whom they confided absolutely. So he found a way to talk with him: he said, he did not intend to hurt any of the party: his design was rather to save them from ruin: they were apt after their cups to

* He soon after accepted the archbishopric of St. Andrews, and became one of the severest persecutors of the presbyterians.

"For renegadoes, who ne'er turn by halves,
Are bound in conscience to be double knaves."

run into foolish and ill-concerted plots, which signified nothing but to ruin those who engaged in them: he knew they consulted him in every thing: all he desired of him was to know all their plots, that he might so disconcert them that none might ever suffer for them: if he clapt any of them up in prison, it should only be for a little time; and they should be interrogated only about some trifling discourse, but never about the business they had been engaged in. He offered Willis whatever he would accept of, and to give it when or as he pleased. He durst not ask or take above 200*l.* a year. None was trusted with this but his secretary Thurloe, who was a very dexterous man at getting intelligence.

Thus Cromwell had all the king's party in a net. He let them dance in it at pleasure: and upon occasions clapt them up for a short while: but nothing was ever discovered that hurt any of them. In conclusion, after Cromwell's death, Willis continued to give notice of every thing to Thurloe. At last, when the plot was laid among the cavaliers for a general insurrection, the king was desired to come over to that which was to be raised in Sussex: he was to have landed near Chichester, all by Willis's management: and a snare was laid for him, in which he would probably have been caught, if Morland, Thurloe's under-secretary, who was a prying man, had not discovered the correspondence between his master and Willis, and warned the king of his danger. Yet it was not easy to persuade those who had trusted Willis so much, and who thought him faithful in all respects, to believe that he could be guilty of so black a treachery: so Morland's advertisement was looked on as an artifice to create jealousy. But he, to give a full conviction, observed where the secretary laid some letters of advice, on which he saw he relied most, and getting the key of that cabinet in his hand to seal a letter with a seal that hung to it, he took the impression of it in wax, and got a key to be made from it, by which he opened the cabinet, and sent over some of the most important of those letters. The hand was known, and this artful but black treachery was discovered; so the design of the rising was laid aside. Sir George Booth having engaged at the same time to raise a body in Cheshire, two several messengers were sent to him to let him know the design could not be executed at the time appointed: but both these persons were suspected by some garrisons through which they must pass, as giving no good account of themselves in a time of jealousy, and were so long stopped, that they could not give him notice in time: so he very gallantly performed his part: but not being seconded he was soon crushed by Lambert. Thus Willis lost the merit of great and long services. This was one of Cromwell's masterpieces *.

As for the presbyterians, they were so apprehensive of the fury of the commonwealth party, that they thought it a deliverance to be rescued out of their hands: many of the republicans began to profess deism: and almost all of them were for destroying all clergymen, and for breaking every thing that looked like the union of a national church. They were for pulling down the churches, for discharging the tithes, and for leaving religion free, as they called it, without either encouragement or restraint. Cromwell assured the presbyterians, he would maintain a public ministry with all due encouragement; and he joined them in a commission with some independents, to be the triers of all those who were to be admitted to benefices. These disposed also of all the churches that were in the gift of the crown, of the bishops, and of the cathedral churches: so this softened them.

He studied to divide the commonwealth party among themselves, and to set the fifth-monarchy men and the enthusiasts against those who pretended to little or no religion, and acted only upon the principles of civil liberty; such as Algernon Sidney, Henry Nevill, Martin, Wildman, and Harrington. The fifth-monarchy men seemed to be really on expectation every day when Christ should appear: John Goodwin headed these, who first brought in Armi-

* Clarendon confirms the narrative of sir Richard Willis's treachery, in every particular. He had faithfully served the king's father, and had always met with his approbation, except in declining to be removed from the governorship of Newark to the command of the king's guard; a refusal that Clarendon states enough to show would have been very excusable at any time but during such a civil contest as was then at its height. He was a gentleman of good family, high courage, and talented, both in civil and military affairs, and entirely unsuspected by the king and his friends. The plans of the marquis of Ormond, and of others who favoured the royalist cause, were thwarted in ways that seemed inexplicable, suspicions were aroused, confidence was destroyed among the king's friends, and yet no open discovery of their plots was ever attempted. Willis must have bargained that no blood should be shed in consequence of his discoveries.—(*Hist. of Rebellion*, iii. 523, &c. fol. ed.; *Sir Philip Warwick's Memoirs*, 288.)

nianism among the sectaries, for he was for liberty of all sorts. Cromwell hated that doctrine: for his beloved notion was, that once a child of God was always a child of God: now he had led a very strict life for above eight years together before the war: so he comforted himself much with his reflections on that time, and on the certainty of perseverance. But none of the preachers were so thorough paced for him, as to temporal matters, as Goodwin was; for he not only justified the putting the king to death, but magnified it as the most glorious action men were capable of. He filled all people with such expectation of a glorious thousand years speedily to begin, that it looked like a madness possessing them.

It was no easy thing for Cromwell to satisfy those, when he took the power into his own hands; since that looked like a step to kingship, which Goodwin had long represented as the great Anti-christ, that hindered Christ's being set on his throne. To these he said, and, as some have told me, with many tears, that he would rather have taken a shepherd's staff than the protectorship, since nothing was more contrary to his genius than a show of greatness: but he saw it was necessary at that time to keep the nation from falling into extreme disorder, and from becoming open to the common enemy: and, therefore, he only stepped in between the living and the dead, as he phrased it, in that interval, till God should direct them on what bottom they ought to settle: and he assured them, that then he would surrender the heavy load lying upon him, with a joy equal to the sorrow with which he was affected while under that show of dignity. To men of this stamp he would enter into the terms of their old equality, shutting the door, and making them sit down covered by him, to let them see how little he valued those distances, that for form sake he was bound to keep up with others. These discourses commonly ended in a long prayer. Thus with much ado, he managed the republican enthusiasts. The other republicans he called the heathens, and professed he could not so easily work upon them. He had some chaplains of all sorts: and he begun in his latter years to be gentler towards those of the church of England. They had their meetings in several places about London without any disturbance from him. In conclusion, even the papists courted him: and he with great dissimulation carried things with all sorts of people farther than was thought possible, considering the difficulties he met with in all his parliaments: but it was generally believed that his life and all his arts were exhausted at once, and that if he had lived much longer he could not have held things together.

The debates came on very high for setting up a king. All the lawyers, chiefly Glyn, Maynard, Fountain, and St. John, were vehemently for this. They said, no new government could be settled legally but by a king, who should pass bills for such a form as should be agreed on. Till then all they did was like building upon sand: still men were in danger of a revolution: and in that case all that had been done would be void of itself, as contrary to a law yet in being and not repealed. Till that was done, every man that had been concerned in the war, and in the blood that was shed, chiefly the king's, was still obnoxious: and no warrants could be pleaded, but what were founded on or approved of by a law passed by king, lords, and commons. They might agree to trust this king as much as they pleased, and to make his power determine as soon as they pleased, so that he should be a *felo de se*, and consent to an act, if need were, of extinguishing both name and thing for ever. And as no man's person was safe till that was done, so they said all the grants and sales that had been made were null and void: all men that had gathered or disposed of the public money were for ever accountable. In short, this point was made out beyond the possibility of answering it, except upon enthusiastic principles. But by that sort of men all this was called a mistrusting of God, and a trusting to the arm of flesh: they had gone out, as they said, in the simplicity of their hearts to fight the Lord's battles, to whom they had made the appeal: he had heard them and appeared for them, and now they could trust him no longer: they had pulled down monarchy with the monarch, and would they now build that up which they had destroyed? They had solemnly vowed to God to be true to the commonwealth, without a king or kingship: and under that vow, as under a banner, they had fought and prevailed: but now they must be secure, and in order to that go back to Egypt: they thought it was rather a happiness that they were still under a legal danger: this might be a mean to make them more cautious and diligent: if kings were invaders of God's right, and usurpers upon men's liberties, why must they have recourse to such a wicked engine? Upon these grounds they stood out: and

they looked on all that was offered about the limiting this king in his power, as the gilding the pill: the assertors of those laws that made it necessary to have a king, would no sooner have one, than they would bring forth out of the same store house all that related to the power and prerogative of this king: therefore they would not hearken to any thing that was offered on that head, but rejected it with scorn. Many of them began openly to say, if we must have a king in consequence of so much law as was alleged, why should we not rather have that king to whom the law certainly pointed, than any other? The earl of Orrery told me, that, coming one day to Cromwell during those heats, and telling him he had been in the city all that day, Cromwell asked him what news he had heard there? The other answered, that he was told he was in treaty with the king, who was to be restored and to marry his daughter. Cromwell expressing no indignation at this, lord Orrery said, in the state to which things were brought, he saw not a better expedient: they might bring him in on what terms they pleased: and Cromwell might retain the same authority he then had with less trouble. Cromwell answered, "the king can never forgive his father's blood." Orrery said, he was one of many that were concerned in that, but he would be alone in the merit of restoring him. Cromwell replied, he is so damnably debauched he would undo us all; and so turned to another discourse without any emotion, which made Orrery conclude he had often thought of that expedient.

Before the day in which he refused the offer of the kingship that was made to him by the parliament, he had kept himself on such a reserve that no man knew what answer he would give. It was thought more likely he would accept of it: but that which determined him to the contrary was, that, when he went down in the morning to walk in St. James's Park, Fleetwood and Desborough were waiting for him: the one had married his daughter, and the other his sister. With these he entered into much discourse on the subject, and argued for it: he said, it was a tempting of God to expose so many worthy men to death and poverty, when there was a certain way to secure them. The others insisted still on the oaths they had taken. He said, these oaths were against the power and tyranny of kings, but not against the four letters that made the word king. In conclusion, they, believing from his discourse that he intended to accept of it, told him, they saw great confusions would follow on it: and as they could not serve him to set up the idol they had put down, and had sworn to keep down, so they would not engage in any thing against him, but would retire and look on. So they offered him their commissions, since they were resolved not to serve a king: he desired they would stay till they heard his answer. It was believed, that he, seeing two persons so near him ready to abandon him, concluded that many others would follow their example; and therefore thought it was too bold a venture. So he refused it, but accepted of the continuance of his protectorship. Yet, if he had lived out the next winter, as the debates were to have been brought on again, so it was generally thought he would have accepted of the offer. And it is yet a question what the effect of that would have been. Some have thought it would have brought on a general settlement, since the law and the ancient government were again to take place: others have fancied just the contrary, that it would have engaged the army, so that they would either have deserted the service, or have revolted from him, and perhaps have killed him in the first fray of the tumult. I will not determine which of these would have most probably happened. In these debates some of the cavalier party, or rather their children, came to bear some share. They were then all zealous commonwealths-men, according to the directions sent them from those about the king. Their business was to oppose Cromwell on all his demands, and so to weaken him at home, and expose him abroad. When some of the other party took notice of this great change, from being the abettors of prerogative to become the patrons of liberty, they pretended their education in the court and their obligation to it had engaged them that way; but now since that was out of doors, they had the common principles of human nature and the love of liberty in them. By this mean, as the old republicans assisted and protected them, so at the same time they strengthened the faction against Cromwell. But these very men at the restoration shook off this disguise, and reverted to their old principles for a high prerogative and absolute power. They said they were for liberty, when it was a mean to distress one who they thought had no right to govern;

but when the government returned to its old channel, they were still as firm to all prerogative notions, and as great enemies to liberty as ever *.

I go next to give an account of Cromwell's transactions with relation to foreign affairs. He laid it down for a maxim to spare no cost or charge in order to procure him intelligence. When he understood what dealers the Jews were every where in that trade that depends on news, the advancing money upon high or low interests in proportion to the risk they run, or

* It appears probable, that the plan of raising Cromwell to the crown was supported by his enemies, as well as by some of his friends. The only plea urged by those who did not desire to establish a republic in the time of Charles I., and who yet opposed the government of this monarch, was that he infringed upon the liberties of the people, particularly upon the rights of parliament, and endeavoured to establish himself as an absolute king. I have elsewhere traced the progress of the civil struggle that ensued, a struggle that would probably have been longer shunned, and more temperately conducted by the partisans on each side, could they have foreseen that their course was leading to the tragedy of the high court of justice. An event among many others warning us to be temperate in our efforts for political change, and to beware who we unite with in striving for the desired reform. In that instance, a majority of the supporters of limited monarchy planted their forward footsteps by the side of the avowed republicans, and Hampden's motto was prophetic of the then determined fate of his party. *Nulla vestigia retrorsum.* There was indeed no retreat, the tide of change swept on; and they in vain endeavoured to check its progress; one barrier of the constitution gave way after another, until not one remained—and then succeeded the next bitter experience that constitutions are not the easy creations of a party—a tyrant had been removed, for Charles was a tyrant, not the less dangerous for being amiable in private life, and interesting, from being magnanimous in his seasons of sorrow—but to him succeeded a series of tyrants—the rump, the council of state, the protector Cromwell, were all deserving of that epithet, for, however differing in abilities, they were all as despotic, and all guilty of acts, as regardless of the liberties of the people, as ever were perpetrated by Charles, in his haughtiest and sternest moods.

The temperate opponents of Charles I., therefore, were not inconsistent in endeavouring to restore the Stuarts to the throne. Even when the first Cromwell was in the zenith of his power, a deep under-plot was proceeding to obtain the restoration of the Stuart family. Open opposition of every kind, short of war, had been tried to prevent Cromwell obtaining supreme power, but he had the army to back him in his resolutions, and he had swept away all open opposition—he was king in every circumstance but the name. With the ignorant there is much in a mere name, and the friends of the Stuarts appear to have endeavoured to have availed themselves of this prejudice with consummate sagacity. They now endeavoured to persuade Cromwell to adopt the title of king. He was within a step of the trap, and was not saved from it by his own penetration.

It is not to be supposed that all who supported this measure were actuated by the same motive, for many, beyond a doubt, were its advocates in the hope of furthering their own ambition by such an event. Such a character was sir Christopher Pack, who, when lord mayor of London in 1655, was knighted by Cromwell. He was very far from an immaculate character if the statements of some adverse annalists are to be credited. They charge him with embezzling the subscriptions raised for the relief of the Piedmont protestants; and with being a defaulter in his accounts as a commissioner of the excise. They add that Cromwell sheltered him from the consequences of these crimes upon the condition that he proposed his assumption of the royal title to the House of Commons*.

Pack now was one of the representatives of the city, and the wishes of the metropolis had then much greater weight than they have now.

This assertion is rendered more probable by the certainty since established, that not only secretary Thurloe, the sagacious and trusty adviser of the protector, but the family of the protector, and the protector himself, all favoured the measure †.

The resolution to petition Cromwell to assume the title of king was carried in the House of Commons by majorities more than doubling the number of those who opposed it. It was to have been proposed by Mr. Whitelocke, but he says, that not approving some of its passages, he declined the undertaking, and that "to gain honour," it was brought forward by sir Christopher ‡.

The petition was presented to the protector on the 31st of March, 1657, and during more than five weeks he continued to hold protracted conferences with the committee the house had appointed to be its representatives. Members of that committee were Mr. Whitelocke and Lord Broghill §, both of whom were subsequently favoured by Charles II.; and of the others, the chief justices St. John and Glynn, sir Charles Wolseley, sir Richard Onslow, Mr. Lenthall, Mr. Nathaniel Fiennes, Colonel Philip, Mr. Jones, and Mr. Lisle, not one, except the last, had any concern in the condemnation of Charles I.; and even Mr. Lisle did not consent to this monarch's execution ||. These then who persuaded Cromwell to become king were not the extreme opponents of the Stuarts: whether they intended to promote the restoration by this proposition cannot be now absolutely determined, but other authorities agree that none were forwarder in supporting it, than some who had always been reputed faithful to the king, and wishers for his restoration, and that many of them thought this measure would promote it, for they believed that the army, and the whole nation, would then incline, rather to maintain a legitimate monarch, than one whose hypocrisy would by this means be rendered so glaring.¶

Numerous were the audiences between Cromwell and the committee—he was evidently willing to be convinced, and had actually announced his resolution to accede to the proposal to some of his friends; according to Wellwood the crown was actually made, and brought to Whitehall, when the army announcing to the parliament, that "they had hazarded their lives against monarchy, and were still ready to do so," was a hint that Cromwell thought it

* Heath's Chronicle, 386. A Narrative of the late Parliament, by a friend of the Commonwealth, 17. Sir Christopher was summoned by Cromwell to sit among his peers, or, as they were termed, "the other house."—(*Thurloe's State Papers, &c.*)

† Thurloe's State Papers, vi. 281, 292, 310. Whitelock's Memorials, 646. Ludlow's Memoirs, ii. 583, &c. Wellwood's Memoirs, by Maseres, 102.

‡ Memorials, 647.

§ Afterwards earl of Orrery.

|| Parl. Hist. xxi. 65—95.

¶ Clarendon's Hist. of Rebel. iii., 461, fol. ed. Morrices's Memoirs of Roger Earl of Orrery, cap. 5.

the gain to be made as the times might turn, and in the buying and selling of the actions of money so advanced, he, more upon that account than in compliance with the principle of toleration, brought a company of them over to England, and gave them leave to build a synagogue. All the while that he was negociating this, they were sure and good spies for him, especially with relation to Spain and Portugal. The earl of Orrery told me, he was once walking with him in one of the galleries of Whitehall, and a man almost in rags came in view. he presently dismissed lord Orrery, and carried that man into his closet; who brought him an account of a great sum of money that the Spaniards were sending over to pay their army in Flanders, but in a Dutch man of war: and he told him the places of the ship in which the money was lodged. Cromwell sent an express immediately to Smith, afterwards sir Jeremy Smith, who lay in the Downs, telling him that within a day or two, such a Dutch ship would pass the Channel, whom he must visit for the Spanish money, which was contraband goods, we being then in war with Spain. So when the ship passed by Dover, Smith sent and demanded leave to search him. The Dutch captain answered, none but his masters might search him. Smith sent him word, he had set up an hour-glass, and if before that was run out he did not submit to the search, he would force it. The captain saw it was in vain to struggle, and so all the money was found. Next time that Cromwell saw Orrery he told him, he had his intelligence from that contemptible man he saw him go to some days before. He had on all occasions very good intelligence: he knew every thing that passed in the king's little court: and yet none of his spies were discovered, but one only.

The greatest difficulty on him in his foreign affairs was, what side to choose, France or Spain. The prince of Conde was then in the Netherlands with a great many protestants about him. He set the Spaniards on making great steps towards the gaining Cromwell into their interests. Spain ordered their ambassador to compliment him: he was esteemed one of their ablest men: his name was Don Alonzo de Cardenas: he offered that if Cromwell would join with them, they would engage themselves to make no peace till he should recover

dangerous to neglect, and he then finally announced, that "he could not undertake the government with the title of *King*." The army, be it observed, did not perceive his despotism under the title of Lord Protector.

The same year gave birth to another plan for the restoration of the Stuart family, by uniting it to that of Cromwell. Lord Broghill was equally in favour with both families, and though he continued to serve under the latter, there is no doubt he would rather have acted under a duly hereditary monarchy, and that he continued to serve as a public man because he believed, and believed correctly, that he could benefit his country. Being thus trusted, he had occasional opportunities of corresponding secretly with persons who were with Charles II. on the continent, and through them inquired of that prince whether he would object to marry the lady Frances, Cromwell's youngest daughter. His answer was favourable, and he was desired to promote the match by all the means in his power. Thus sanctioned, he acquainted the wife and daughter of Cromwell with the project, and finding them equally agreeable, he caused a rumour of it to be dispersed in the city, and upon his return thence, proceeded to an interview in private with Cromwell. Upon joining him the protector inquired "where he had been?" and then, "what news there was?" Lord Broghill replied, "very strange news," and upon Cromwell's earnest inquiry for particulars, and promising not to be offended, proceeded jocularly to tell him that "it was rumoured he was going to marry his daughter Frances to the king." "And what," said Cromwell merrily, "what do the fools think of it?" "All like it," rejoined lord Broghill, "and think it the wisest thing you could do, if you could accomplish it." "And do you believe so too?" said Cromwell pausing; and upon being assured he did, the protector resumed his walk to and fro in the room with his hands behind him for some time, and then asked his lordship "what reasons he had for his opinion?" Lord Broghill then reminded him how little he could confide in his own party, who were always ready to express their discontent, and to unite to degrade him, as they had to exalt him; and that if he preserved his station for life, he could not expect to transmit it to his posterity; that on the other hand, the king, exiled and reduced in circumstances, would make him general of all the forces for life, or such other terms as he might stipulate. The loyalists would readily support this plan; and as his daughter would probably be the mother of a family, he would thereby be endeared to, and strengthen his interest both with the king and the nation. He would have the king for his son-in-law; his grandchild, heir apparent to the crown; and the power of the kingdom under his command.

Cromwell listened to these reasons with deep attention; and when his lordship had finished, resumed his pacing of the room for a few minutes in silence—and then observed, "the king will never forgive me the death of his father." Lord Broghill suggested that some one might be employed to ascertain the king's sentiments, and offered himself to be the mediator. He also observed, that he, Cromwell, was but one in the execution of the late king, but that he would have the sole merit of restoring the present. But Cromwell repeated with more emphasis, "the king cannot, and will not, forgive the death of his father,"—and adding some remark upon his immorality, and that he would ruin their party, positively refused to assent to the plan. Cromwell's wife and daughter subsequently exerted their influence, but in vain *. The latter married a few months subsequently to a son of Lord Rich, Cromwell giving her 15,000*l.* as a fortune.—*Thurloe's State Papers*, vi.

* Morrice's Life and State Papers of the earl of Orrery, 21. Mr. Morrice was his lordship's chaplain, and Burnet says he had the relation from the earl himself.

Calais again to England. This was very agreeable to Cromwell, who thought it would recommend him much to the nation, if he could restore that town again to the English empire, after it had been a hundred years in the hands of the French. Mazarin hearing of this sent one over to negociate with him, but at first without a character: and, to outbid the Spaniard, he offered to assist Cromwell to take Dunkirk, which was a place of much more importance. The prince of Condé sent over likewise to offer Cromwell to turn protestant; and, if he would give him a fleet with good troops, he would make a descent in Guienne, where he did not doubt but that he should be assisted by the protestants; and that he should so distress France, as to obtain such conditions for them, and for England, as Cromwell himself should dictate. Upon this offer Cromwell sent Stoupe round all France to talk with their most eminent men, to see into their strength, into their present disposition, the oppressions they lay under, and their inclinations to trust the prince of Condé. He went from Paris down the Loire, then to Bourdeaux, from thence to Montauban, and across the south of France to Lyons: he was instructed to talk to them only as a traveller, and to assure them of Cromwell's zeal and care for them, which he magnified every where. The protestants were then very much at their ease: for Mazarin, who thought of nothing but to enrich his family, took care to maintain the edicts better than they had been in any time formerly. So Stoupe returned, and gave Cromwell an account of the ease they were then in, and of their resolution to be quiet. They had a very bad opinion of the prince of Condé, as a man who sought nothing but his own greatness, to which they believed that he was ready to sacrifice all his friends, and every cause that he espoused. This settled Cromwell as to that particular. He also found that the cardinal had such spies on that prince, that he knew every message that had passed between them: therefore he would have no farther correspondence with him: he said upon that to Stoupe, *stultus est, et garrulus, et venditur à suis cardinali.* That which determined him afterwards in the choice was this: he found the parties grew so strong against him at home, that he saw if the king or his brother were assisted by France with an army of Huguenots to make a descent in England, which was threatened if he should join with Spain, this might prove very dangerous to him, who had so many enemies at home and so few friends. This particular consideration, with relation to himself, made great impression on him; for he knew the Spaniards could give those princes no strength, nor had they any protestant subjects to assist them in any such design. Upon this occasion king James told me, that among other prejudices he had at the protestant religion this was one, that both his brother and himself, being in many companies in Paris incognito, where they met many protestants, he found they were all alienated from them, and were great admirers of Cromwell: so he believed they were all rebels in their heart. I answered, that foreigners were no other way concerned in the quarrels of their neighbours, than to see who could or would assist them: the coldness they had seen formerly in the court of England with relation to them, and the zeal which was then expressed, must naturally make them depend on one that seemed resolved to protect them. As the negociation went on between France and England, Cromwell would have the king and his brother dismissed the kingdom. Mazarin consented to this; for he thought it more honourable that the French king should send them away of his own accord, than that it should be done pursuant to an article with Cromwell. Great excuses were made for doing it: they had some money given them, and were sent away loaded with promises of constant supplies that were never meant to be performed: and they retired to Cologne; for the Spaniards were not yet out of hope of gaining Cromwell. But when that vanished, they invited them to Brussels, and they settled great appointments on them, in their way, which was always to promise much, how little soever they could perform. They also settled a pay for such of the subjects of the three kingdoms as would come and serve under our princes: but few came, except from Ireland: of these some regiments were formed. But though this gave them a great and lasting interest in our court, especially in king James's, yet they did not much to deserve it.

Before king Charles left Paris he changed his religion, but by whose persuasion is not yet known: only cardinal de Retz was in the secret, and lord Aubigny had a great hand in it. It was kept a great secret. Chancellor Hyde had some suspicion of it, but would never suffer himself to believe it quite. Soon after the restoration that cardinal came over in disguise,

and had an audience of the king: what passed is not known. The first ground I had to believe it was this: The marquis de Roucy, who was the man of the greatest family in France that continued protestant to the last, was much pressed by that cardinal to change his religion: he was his kinsman and his particular friend. Among other reasons one that he urged was, that the protestant religion must certainly be ruined, and that they could expect no protection from England, for to his certain knowledge both the princes were already changed. Roucy told this in great confidence to his minister, who after his death sent an advertisement of it to myself. Sir Allen Broderick, a great confidant of the chancellor's, who, from being very atheistical, became in the last years of his life an eminent penitent, as he was a man of great parts, with whom I had lived long in great confidence, on his death-bed sent me likewise an account of this matter, which he believed was done in Fontainebleau, before king Charles was sent to Cologne. As for king James, it seems he was not reconciled at that time: for he told me, that being in a monastery in Flanders, a nun desired him to pray every day that, if he was not in the right way, God would bring him into it. and he said, the impression these words made on him never left him till he changed.

To return to Cromwell: while he was balancing in his mind what was fit for him to do, Gage, who had been a priest, came over from the West Indies, and gave him such an account of the feebleness as well as of the wealth of the Spaniards in those parts, as made him conclude that it would be both a great and an easy conquest to seize on their dominions. By this he reckoned he would be supplied with such a treasure, that his government would be established before he should need to have any recourse to a parliament for money. Spain would never admit of a peace with England between the tropics: so he was in a state of war with them as to those parts, even before he declared war in Europe. He upon that equipped a fleet with a force sufficient, as he hoped, to have seized Hispaniola and Cuba. And Gage had assured him, that success in that expedition would make all the rest fall into his hands. Stoupe, being on another occasion called to his closet, saw him one day very intent in looking on a map, and in measuring distances. Stoupe saw it was a map of the Bay of Mexico, and observed who printed it. So, there being no discourse upon that subject, Stoupe went next day to the printer to buy the map. The printer denied he had printed it. Stoupe affirmed he had seen it. Then, he said, it must be only in Cromwell's hand; for he only had some of the prints, and had given him a strict charge to sell none till he had leave given him. So Stoupe perceived there was a design that way. And when the time of setting out the fleet came on, all were in a gaze whither it was to go: some fancied it was to rob the church of Loretto, which did occasion a fortification to be drawn round it: others talked of Rome itself; for Cromwell's preachers had this often in their mouths, that if it were not for the divisions at home, he would go and sack Babylon: others talked of Cadiz, though he had not yet broken with the Spaniards. The French could not penetrate into the secret. Cromwell had not finished his alliance with them: so he was not bound to give them an account of the expedition. All he said upon it was, that he sent out the fleet to guard the seas, and to restore England to its dominion on that element. Stoupe happened to say in a company, he believed the design was on the West Indies. The Spanish ambassador hearing that, sent for him very privately, to ask him upon what ground he said it; and he offered to lay down 10,000*l.* if he could make any discovery of that. Stoupe owned to me, he had a great mind to the money; and fancied he betrayed nothing if he did discover the grounds of these conjectures, since nothing had been trusted to him: but he expected greater matters from Cromwell, and so kept the secret; and said only, that in a diversity of conjectures that seemed to him more probable than any others. But the ambassador made no account of that; nor did he think it worth the writing to Don John then at Brussels, about it.

Stoupe wrote it over as his conjecture to one about the prince of Condé, who, at first hearing it, was persuaded that must be the design, and went next day to suggest it to Don John: but Don John relied so much on the ambassador, that this made no impression. And indeed all the ministers whom he employed knew that they were not to disturb him with troublesome news: of which king Charles told a pleasant story. One whom Don John was sending to some court in Germany coming to the king to ask his commands, he desired him only to

write him news: the Spaniard asked him, whether he would have true, or false, news: and, when the king seemed amazed at the question, he added, if he wrote him true news the king must be secret, for he knew he must write news to Don John that would be acceptable, true or false: when the ministers of that court shewed that they would be served in such a manner, it is no wonder to see how their affairs have declined. This matter of the fleet continued a great secret. And some months after that, Stoupe being accidentally with Cromwell, one came from the fleet through Ireland with a letter. The bearer looked like one that brought no welcome news. And as soon as Cromwell had read the letter, he dismissed Stoupe, who went immediately to the earl of Leicester, then lord Lisle, and told him what he had seen. He being of Cromwell's council went to Whitehall, and came back, and told Stoupe of the descent made on Hispaniola, and of the misfortune that had happened. It was then late, and was the post night for Flanders. So Stoupe wrote it as news to his correspondent, some days before the Spanish ambassador knew any thing of it. Don John was amazed at the news, and had never any regard for the ambassador after that; but had a great opinion of Stoupe, and ordered the ambassador to make him theirs at any rate. The ambassador sent for him, and asked him, now that it appeared he had guessed right, what were his grounds: and when he told what they were, the ambassador owned he had reason to conclude as he did upon what he saw. And upon that he made great use of Stoupe: but he himself was never esteemed after that so much as he had been. This deserved to be set down so particularly, since by it it appears, that the greatest design may be discovered by an undue carelessness. The court of France was amazed at the undertaking, and was glad that it had miscarried; for the cardinal said, if he had suspected it, he would have made peace with Spain on any terms, rather than to have given way to that which would have been such an addition to England, as must have brought all the wealth of the world into their hands. The fleet took Jamaica: but that was a small gain, though much magnified to cover the failing of the main design. The war after that broke out, in which Dunkirk was indeed taken, and put into Cromwell's hands: but the trade of England suffered more in that, than in any former war: so he lost the heart of the city of London by that means.

Cromwell had two signal occasions given him to shew his zeal in protecting the protestants abroad. The duke of Savoy raised a new persecution of the Vaudois: so Cromwell sent to Mazarin, desiring him to put a stop to that; adding that he knew well they had that duke in their power, and could restrain him as they pleased: and if they did not he must presently break with them. Mazarin objected to this as unreasonable: he promised to do good offices, but he could not be obliged to answer for the effects they might have. This did not satisfy Cromwell: so they obliged the duke of Savoy to put a stop to that unjust fury: and Cromwell raised a great sum for the Vaudois, and sent over Morland to settle all their losses *. There was also a tumult in Nismes, in which some disorder had been committed by the huguenots: and they, apprehending severe proceedings upon it, sent one over with great expedition to Cromwell, who sent him back to Paris in an hour's time with a very effectual letter to his ambassador, requiring him either to prevail that the matter might be passed over, or to come away immediately. Mazarin complained of this way of proceeding, as too imperious: but the necessity of their affairs made him yield. These things raised Cromwell's character abroad, and made him be much depended on.

His ambassador in France at this time was Lockhart, a Scotchman, who had married his niece, and was in high favour with him, as he well deserved to be. He was both a wise and a gallant man, calm and virtuous, and one that carried the generosities of friendship very far. He was made governor of Dunkirk, and ambassador at the same time. But he told me, that when he was sent afterwards ambassador by king Charles, he found he had nothing of that regard that was paid him in Cromwell's time †.

* The Vaudois, or Waldenses, are a most interesting people. They were among the very earliest opponents of the superstitions, errors, and tyranny of the papal see. Their persecution began as early as the twelfth century. See Mosheim, Turner's England and the Middle Ages, Gilly's History of the Waldenses, &c. Whether Cromwell's charitable interference arose from his anxiety for the welfare and diffusion of the reformed religion; or from his desire to make England respected as its champion, it was an act that must always obtain for him unqualified praise.

† Clarendon speaks of general Lockhart in the highest terms, confessing that he was proof against bribes, and an excellent ambassador.

Stoupe told me of a great design Cromwell had intended to begin his kingship with, if he had assumed it: he resolved to set up a council for the protestant religion, in opposition to the congregation *de propaganda fide* at Rome. He intended it should consist of seven councillors, and four secretaries for different provinces. These were the first, France, Switzerland, and the Valleys: the Palatinate and other Calvinists were the second: Germany, the north, and Turkey were the third: and the East and West Indies were the fourth. The secretaries were to have 500*l.* salary apiece, and to keep a correspondence every where, to know the state of religion all over the world, that so all good designs might be by their means protected and assisted. Stoupe was to have the first province. They were to have a fund of 10,000*l.* a year at their disposal for ordinary emergencies, but to be farther supplied as occasions should require it. Chelsea College was to be made up for them, which was then an old decayed building, that had been at first raised to be a college for writers of controversy *. I thought it was not fit to let such a project as this be quite lost: it was certainly a noble one: but how far he would have pursued it must be left to conjecture.

Stoupe told me a remarkable passage in his employment under Cromwell. Stoupe had desired all that were under the prince of Condé to let him know some news, in return of that he wrote to them. So he had a letter from one of them, giving an account of an Irishman newly gone over, who had said he would kill Cromwell, and that he was to lodge in King-street, Westminster. With this Stoupe went to Whitehall. Cromwell being then at council, he sent him a note, letting him know that he had a business of great consequence to lay before him. Cromwell was then upon a matter that did so entirely possess him, that he, fancying that it was only some piece of foreign intelligence, sent Thurloe to know what it might be. Stoupe was troubled at this, but could not refuse to shew him his letter. Thurloe made no great matter of it: he said, they had many such advertisements sent them, which signified nothing but to make the world think the protector was in danger of his life: and the looking too much after these things had an appearance of fear, which did ill become so great a man. Stoupe told him, King-street might be soon searched. Thurloe answered, if we find no such person, how shall we be laughed at? Yet he ordered him to write again to Brussels, and promise any reward if a more particular discovery could be made. Stoupe was much cast down, when he saw that a piece of intelligence which he hoped might have made his fortune was so little considered. He wrote to Brussels: but he had no more from thence, but a confirmation of what had been written formerly to him. And Thurloe did not think fit to make any search, or any farther inquiry into it: nor did he so much as acquaint Cromwell with it. Stoupe, being uneasy at this, told lord Lisle of it: and it happened that, a few weeks after, Syndercomb's design of assassinating Cromwell near Brentford, as he was going to Hampton-court, was discovered. When he was examined, it appeared that he was the person set out in the letters from Brussels. So Lisle said to Cromwell, this is the very man of whom Stoupe had the notice given him. Cromwell seemed amazed at this; and sent for Stoupe, and in great wrath reproached him for his ingratitude in concealing a matter of such consequence to him. Stoupe upon this showed him the letters he had received; and put him in mind of the note he had sent in to him, which was immediately after he had the first letter, and that he had sent out Thurloe to him. At that Cromwell seemed yet more amazed; and sent for Thurloe, to whose face Stoupe affirmed the matter: nor did he deny any part of it; but only said, that he had many such advertisements sent him, in which till this time he had never found any truth. Cromwell replied sternly, that he ought to have acquainted him with it, and left him to judge of the importance of it. Thurloe desired to speak in private with Cromwell. So Stoupe was dismissed, and went away not doubting but Thurloe would be disgraced. But as he understood from Lisle afterward, Thurloe showed Cromwell such instances of his care and fidelity on all such occasions, and humbly acknowledged his error in this matter, but imputed it wholly to his care both for his honour and quiet, that he pacified him entirely: and indeed he was so much in all Cromwell's secrets, that it was not safe to disgrace

* Chelsea College was founded by Dr. Sutcliffe, dean of Exeter. He intended that it should consist of a provost and twenty fellows.—Kennet's Complete Hist. of England, ii. 685. Archbishop Bancroft proposed to be its benefactor, and urged James I. to be its active patron. This led Wilson into the error of saying that the archbishop induced the king to found it. After the former's death it was neglected, the king "wisely considering that nothing begets more contention than opposition."—Wilson's James I., 53.

him without destroying him; and that it seems Cromwell could not resolve on. Thurloe having mastered this point, that he might farther justify his not being so attentive as he ought to have been, did so much search into Stoupe's whole deportment, that he possessed Cromwell with such an ill opinion of him, that after that he never treated him with any confidence. So he found how dangerous it was even to preserve a prince, (so he called him) when a minister was wounded in the doing of it: and that the minister would be too hard for the prince, even though his own safety was concerned in it.

These are all the memorable things that I have learnt concerning Cromwell; of whom so few have spoken with any temper, some commending and others condemning him, and both out of measure, that I thought a just account of him, which I had from sure hands, might be no unacceptable thing. He never could shake off the roughness of his education and temper: he spoke always long, and very ungracefully. The enthusiast and the dissembler mixed so equally in a great part of his deportment, that it was not easy to tell which was the prevailing character. He was indeed both, as I understood from Wilkins and Tillotson, the one having married his sister, and the other his niece. He was a true enthusiast, but with the principle formerly mentioned, from which he might be easily led into all the practices both of falsehood and cruelty: which was, that he thought moral laws were only binding on ordinary occasions, but that upon extraordinary ones these might be superseded. When his own designs did not lead him out of the way, he was a lover of justice and virtue, and even of learning, though much decried at that time.

He studied to seek out able and honest men, and to employ them: and so having heard that my father had a very great reputation in Scotland for piety and integrity, though he knew him to be a royalist, he sent to him, desiring him to accept of a judge's place, and to do justice in his own country, hoping only that he would not act against his government; but he would not press him to subscribe, or swear, to it. My father refused it in a pleasant way. When he who brought the message was running out into Cromwell's commendation, my father told a story of a pilgrim in popery, who came to a church where one saint Kilmaclotius was in great reverence: so the pilgrim was bid pray to him: but he answered, he knew nothing of him, for he was not in his breviary: but when he was told how great a saint he was, he prayed this collect; "*O sancte Kilmacloti, tu nobis hactenus es incognitus, hoc solum a te rogo, ut si bona tua nobis non prosint, saltem mala ne noceant.*" My father replied, that he desired no other favour of him but leave to live privately, without the impositions of oaths and subscriptions: and ever after he lived in great quiet. And this was an instance of it: Overton, one of Cromwell's major generals, who was a high republican, being for some time at Aberdeen, where we then lived, my father and he were often together: in particular they were shut up alone for about two hours the night after the order came from Cromwell to take away Overton's commissions, and to put him in arrest. Upon that Howard, afterward earl of Carlisle, being sent down to inquire into all the plots that those men had been in, heard of this long privacy: but, when with that he heard what my father's character was, he made no farther inquiry into it; but said Cromwell was very uneasy when any good man was questioned for any thing.

This gentleness had in a great measure quieted people's minds with relation to him. And his maintaining the honour of the nation in all foreign countries gratified the vanity which is very natural to Englishmen; of which he was so careful, that though he was not a crowned head, yet his ambassadors had all the respects paid them which our kings' ambassadors ever had: he said, the dignity of the crown was upon the account of the nation, of which the king was only the representative head; so the nation being still the same, he would have the same regards paid to his ministers.

Another instance of this pleased him much. Blake with the fleet happened to be at Malaga before he made war upon Spain: and some of his seamen went ashore, and met the hostie carried about; and not only paid no respect to it, but laughed at those who did; so one of the priests put the people on resenting this indignity; and they fell upon them, and beat them severely. When they returned to their ship they complained of this usage; and upon that Blake sent a trumpet to the viceroy, to demand the priest who was the chief instrument in that ill usage. The viceroy answered, he had no authority over the priests,

and so could not dispose of him. Blake upon that sent him word, that he would not inquire who had the power to send the priest to him, but if he were not sent within three hours he would burn their town: and they, being in no condition to resist him, sent the priest to him, who justified himself upon the petulant behaviour of the seamen. Blake answered, that if he had sent a complaint to him of it, he would have punished them severely, since he would not suffer his men to affront the established religion of any place at which he touched: but he took it ill, that he set on the Spaniards to do it; for he would have all the world to know, that an Englishman was only to be punished by an Englishman: and so he treated the priest civilly, and sent him back, being satisfied that he had him at his mercy.

Cromwell was much delighted with this, and read the letters in council with great satisfaction; and said, he hoped he should make the name of an Englishman as great as ever that of a Roman had been. The States of Holland were in such dread of him, that they took care to give him no sort of umbrage: and when at any time the king, or his brothers, came to see their sister, the princess royal, within a day or two after they used to send a deputation to let them know, that Cromwell had required of the States that they should give them no harbour. King Charles, when he was seeking for colour for the war with the Dutch in the year 1672, urged it for one, that they suffered some of his rebels to live in their provinces. Borel, then their ambassador, answered, that it was a maxim of long standing among them, not to inquire upon what account strangers came to live in their country, but to receive them all, unless they had been concerned in conspiracies against the persons of princes. The king told him upon that, how they had used both himself and his brother. Borel, in great simplicity, answered: "Ah! sire, c'étoit une autre chose: Cromwell étoit un grand homme, et il se faisoit craindre par terre et par mer." This was very rough. The king's answer was: "Je me ferai craindre aussi à mon tour." But he was scarce as good as his word.

Cromwell's favourite alliance was with Sweden. Carolus Gustavus and he lived in great conjunction of counsels. Even Algernon Sydney, who was not inclined to think or speak well of kings, commended him to me; and said, he had just notions of public liberty; and added, that Queen Christina seemed to have them likewise. But she was much changed from that, when I waited on her at Rome; for she complained of us as a factious nation, that did not readily comply with the commands of our princes. All Italy trembled at the name of Cromwell, and seemed under a panic, as long as he lived. His fleet scoured the Mediterranean; and the Turks durst not offend him; but delivered up Hyde, who kept up the character of an ambassador from the king there, and was brought over and executed for it *. The putting the brother of the king of Portugal's ambassador to death for murder, was carrying justice very far; since, though in the strictness of the law of nations, it is only the ambassador's own person that is exempted from any authority but his master's that sends him, yet the practice had gone in favour of all that the ambassador owned to belong to him †.

* Cromwell was only acting as became the head of the executive of England, when he brought Sir Henry Hyde to trial, and sanctioned his execution. In that capacity he had to maintain the honour and interests of this country. Though protector in name, he was king *de facto*, as such it was his province to depute ambassadors to foreign courts; and he had sent Sir Thomas Bendish in that capacity to Constantinople. Charles the Second, regardless of the law of nations, which declares that no prince deprived of his dominions is entitled to appoint ambassadors, sent Sir Henry Hyde to the Ottoman court. Upon his arrival, he assumed the power to discharge Sir Thomas Bendish from his office; entered into plans for seizing the goods of the English merchants for the use of the ex-king, and did other acts injurious to the interests, and treasonable against the government of this country. Cromwell demanded that he should be given up, and upon his arrival in this country, he was tried, and executed. This was in 1650. The scaffold was erected before the Royal Exchange, doubtless as a notice to the mercantile world, that the government was sensibly alive to, and resolute to protect, our commercial interests. Sir Henry Hyde was one of eleven brothers, all distinguished for their talents and Stuart loyalty. They were cousins of Lord Chancellor Clarendon. —Wood's Athenæ Oxon. ii. 1152, fol. ed.

† Burnet is wrong in considering this was an outstretch of the law. An ambassador *himself*, if he commit a felony or any other crime, *contra jus gentium*, loses his privilege, and may be punished in the country where he perpetrates the offence without being remanded to his sovereign.—Coke's 4 Institute, 153. *A fortiori*, an ambassador's brother, not even belonging to his suite, but who, as Clarendon states, accompanied him "out of curiosity," is not protected from our laws if he commits a deliberate murder. This was the case with Don Pantaleon Sa, alluded to in the text. Having quarrelled with a gentleman upon the Exchange, and being worsted in the encounter, he returned the day following with an armed retinue, and killed a gentleman, whom he mistook for his previous-day's adversary. His brother, the Portuguese ambassador, made every effort to protect him from the consequences, but without avail. Cromwell's immoveable answer was, "Justice must be done." He was beheaded on Tower Hill in July, 1654.—Clarendon's Hist. of Rebellion, iii. 385. Philip's Baker's Chron. 535.

Cromwell shewed his good understanding in nothing more, than in seeking out capable and worthy men for all employments, but most particularly for the courts of law, which gave a general satisfaction.

Thus he lived, and at last died, on his auspicious * third of September, of so slight a sickness, that his death was not looked for. He had two sons, and four daughters. His sons were weak, but honest men. Richard, the eldest, though declared protector in pursuance of a nomination pretended to be made by Cromwell, the truth of which was much questioned, was not at all bred for business, nor indeed capable of it. He was innocent of all the ill his father had done: so there was no prejudice lay against him: and both the royalists and the presbyterians fancied he favoured them, though he pretended to be an independent. But all the commonwealth party cried out upon his assuming the protectorship, as a high usurpation; since whatever his father had from his parliaments was only personal, and so fell with him: yet in opposition to this, the city of London, and all the counties and cities almost in England, sent him addresses congratulatory, as well as condoling. So little do these pompous appearances of respect signify. Tillotson told me, that a week after Cromwell's death, he, being by accident at Whitehall, and hearing there was to be a fast that day in the household, out of curiosity went into the presence chamber where it was held. On the one side of a table, Richard with the rest of Cromwell's family were placed, and six of the preachers were on the other side: Thomas Goodwin, Owen, Carril and Sterry were of the number. There he heard a great deal of strange stuff, enough to disgust a man for ever of that enthusiastic boldness. God was, as it were, reproached with Cromwell's services, and challenged for taking him away so soon. Goodwin, who had pretended to assure them in a prayer that he was not to die, which was but a very few minutes before he expired, had now the impudence to say to God, "Thou hast deceived us, and we were deceived." Sterry, praying for Richard, used those indecent words, next to blasphemy, "Make him the brightness of the father's glory, and the express image of his person." Richard was put on giving his father a pompous funeral, by which his debts increased so upon him, that he was soon run out of all credit. When the parliament met, his party tried to get a recognition of his protectorship: but it soon appeared, they had no strength to carry it. Fleetwood, who married Ireton's widow, set up a council of officers: and these resolved to lay aside Richard, who had neither genius nor friends, neither treasure nor army, to support him. He desired only security for the debts he had contracted; which was promised, but not performed. And so without any struggle he withdrew, and became a private man. And as he had done hurt to nobody, so nobody did ever study to hurt him; a rare instance of the instability of human greatness, and of the security of innocence. His brother had been made by the father, lieutenant of Ireland, and had the more spirit of the two; but he could not stand his ground, when his brother quitted. One of Cromwell's daughters was married to Claypole, and died a little before himself: another was married to the earl of Falconbridge, a wise and worthy woman, more likely to have maintained the post than either of her brothers; according to a saying that went of her, "that those who wore breeches deserved petticoats better, but if those in petticoats had been in breeches, they would have held faster." The other daughter was married, first to the earl of Warwick's heir, and afterwards to one Russel. They were both very worthy persons †.

Upon Richard's leaving the stage, the Commonwealth was again set up; and the parliament which Cromwell had broken was brought together: but the army and they fell into new disputes: so they were again broken by the army; and upon that the nation was like to fall into great convulsions. The enthusiasts became very fierce, and talked of nothing but the destroying all the records and the law, which they said had been all made by a succession of tyrants and papists: so they resolved to model all anew by a levelling, and a

* It may well be called *Auspicious*, since on that day he had defeated the Scotch at Dunbar, and the next year the king at Worcester.—Note by Author's Son.

† The most comprehensive notice respecting Cromwell and his family, is in Noble's "Memoirs of the House of Cromwell;". but a good history of the Protectorate is yet a desideratum. All the modern ones are unworthy copies of unworthy predecessors. They are the plagiarists of plagiaries; devoid of the very essential requisites, a knowledge of genuine authorities, and a perseverance in examining them. Godwin's "History of the Commonwealth," is only partially exempt from this censure.

spiritual government of the saints. There was so little sense in this, that Nevil and Harrington, with some others, set up in Westminster a meeting, to consider of a form of government that should secure liberty, and yet preserve the nation. They ran chiefly on having a parliament elected by ballot, in which the nation should be represented according to the proportion of what was paid in taxes, towards the public expense; and by this parliament a council of twenty-four was to be chosen by ballot: and every year eight of these were to be changed, and might not again be brought into it, but after an interval of three years. By these the nation was to be governed; and they were to give an account of the administration to the parliament every year. This meeting was a matter of diversion and scorn, to see a few persons take upon them to form a scheme of government; and it made many conclude, it was necessary to call home the king, that so matters might again fall into their old channel *. Lambert became the man on whom the army depended most. Upon his forcing the parliament, great applications were made to Monk to declare for the parliament; but under this the declaring for the king was generally understood. Yet he kept himself under such a reserve, that he declared all the while, in the most solemn manner, for a commonwealth, and against a single person, in particular against the king; so that none had any ground from him to believe he had any design that way. Some have thought that he intended to try, if it was possible, to set up for himself; others rather believed, that he had no settled design any way, and resolved to do as occasion should be offered to him. The Scotch nation did certainly hope he would bring home the king. He drew the greatest part of the army towards the borders, where Lambert advanced towards him with seven thousand horse. Monk was stronger in foot, but being apprehensive of engaging on disadvantage, he sent Clarges to the lord Fairfax for his advice and assistance, who returned answer by Dr. Fairfax, afterwards secretary to the archbishop of Canterbury, and assured him he would raise Yorkshire on the first of January. And he desired him to press upon Lambert, in case that he should send a detachment into Yorkshire. On the first of January, Fairfax appeared with about one hundred gentlemen and their servants; but so much did he still maintain his great credit with the army, that the night after, the Irish brigade, that consisted of twelve hundred horse, and was the rear of Lambert's army, came over to him.

* The most distinguished and influential republicans of the period were Algernon Sydney, Henry Neville, Henry Martin, John Wildman, and James Harrington. A particular notice of any but Neville and Harrington, is deferred to future pages; further than to remark that they were all enthusiastic sufferers in defence of their principles, and, excepting Martin, were distinguished as virtuous men. They have left us their deliberate opinions and projects of government recorded; and these are testimonies that their object was to secure the freedom and happiness of their country. Their political regulations are founded upon too favourable an estimate of human nature; and, like Plato's "Republic," and More's "Utopia," might be practicable, if man was devoid of evil. Those who wish to understand the developed principles of these well-meaning, though mistaken men, will find them in Sydney's "Discourses upon Government;" Neville's "Plato Redivivus;" and Harrington's "Commonwealth of Oceana." Martin's degraded ideas of liberty and a republic, are related in his "England's Troubles Troubled." Sir Henry Vane, the younger, nicknamed Sir Humorous Vanity, was also a republican, but he was so wild, and protean, that he was not of much weight with the party. His opinions are recorded in his "Life and Death, &c."

Neville was the son of a knight residing in Berkshire. He was travelling on the Continent during the civil war; but he obtained a seat in the long parliament, and was one of the "council of state;" but Cromwell, finding him a stern opposer, soon displaced him. He was an uncompromising republican. He was imprisoned at the restoration, but being released, he lived unnoticed, and died in 1694.—Wood's Athenæ Oxon. iii. 918, fol. edit.

Harrington was a native of Northamptonshire, and, like Neville, was a man of good talents, cultivated and improved by a liberal education and travelling. He sided with the presbyterians at the commencement of the civil war; but from his intercourse with Charles the First at Newcastle, acquired such a regard for his majesty, that when the latter offered him the post of attendant in his bedchamber, he readily accepted it. He attended the king in his last hour of trial. Notwithstanding this attachment and fidelity to his royal master, he always maintained his opinions in favour of a democracy. At the restoration, he was committed to prison, but becoming insane, he obtained his release. He died in 1677.

The *Rota Club* was founded in 1659, by these two politicians. It was held at an inn, then called the Turk's Head, in New Palace Yard; it is still an hotel (Oliver's), at the corner next the river. Besides the two founders, there were among its members Cyriack Skinner, a disciple of Milton; Major John Wildman; Charles Wolseley, of Staffordshire; Roger Coke; William Poultney, afterwards knighted; and many others. They had public debates, and ballotings upon the best form of government, and the regulation of a commonwealth. Wood says, "their discourses were the most ingenious and smart that ever were heard, compared with them the arguments in the parliamentary house were flat." The club lasted no longer than the commencement of 1660. The restoration dissolved it. Their favourite model of a House of Commons, and which Neville actually proposed in his place as a member of parliament, was, that a third part of its members should be balloted out in rotation every year. No magistrate was to continue in office more than three years, and all of them to be chosen by ballot.—Wood's Athenæ Oxon. ii. 591, fol. edit. Biog. Britan. in vitâ Harrington.

Upon that Lambert retreated, finding his army was so little sure to him, and resolved to march back to London. He was followed by Monk, who when he came to Yorkshire, met with Fairfax, and offered to resign the chief command to him. The lord Fairfax refused it, but pressed Monk to declare for a free parliament: yet in that he was so reserved to him, that Fairfax knew not how to depend on him. But as Lambert was making haste up, his army mouldered away, and he himself was brought up a prisoner, and was put in the Tower of London. Yet not long after he made his escape, and gathered a few troops about him in Northamptonshire. But these were soon scattered; for Ingoldsby, though one of the king's judges, raised Buckinghamshire against him: and so little force seemed now in that party, that with very little opposition Ingoldsby took him prisoner, and brought him into Northampton; where Lambert, as Ingoldsby told me, entertained him with a pleasant reflection for all his misfortunes. The people were in great crowds applauding and rejoicing for the success. So Lambert put Ingoldsby in mind of what Cromwell had said to them both, near that very place, in the year 1650, when they, with a body of the officers, were going down after their army that was marching to Scotland, the people all the while shouting and wishing them success: Lambert upon that said to Cromwell, he was glad to see they had the nation on their side: Cromwell answered, "do not trust to that, for these very persons would shout as much if you and I were going to be hanged." Lambert said, he looked on himself as in a fair way to that, and began to think Cromwell prophesied *.

Upon the dispersing Lambert's army, Monk marched southward, and was now the object of all men's hope. At London all sorts of people began to cabal together, royalists, presbyterians, and republicans. Hollis told me, the presbyterians pressed the royalists to be quiet, and to leave the game in their hands; for their appearing would give jealousy, and hurt that which they meant to promote. He and Ashley Cooper, Grimstone and Annesley, met often with Manchester, Roberts, and the rest of the presbyterian party: and the ministers of London were very active in the city; so that when Monk came up, he was pressed to declare himself. At first he would only declare for the parliament that Lambert had forced; but there was then a great fermentation all over the nation. Monk and the parliament grew jealous of one another, even while they tried who could give the best words, and express their confidence in the highest terms of one another. I will pursue the relation of this transaction no farther; for this matter is well known †.

The king had gone, in autumn 1659, to the meeting at the Pyrenees, where cardinal Mazarin and Don Lewis de Haro were negociating a peace. He applied himself to both sides, to try what assistance he might expect upon their concluding the peace. It was then known that he went to mass sometimes, that so he might recommend himself the more effectually to both courts; yet this was carried secretly, and was confidently denied. Mazarin still talked to Lockhart upon the foot of the old confidence; for he went thither to watch over the treaty; though England was now in such convulsions, that no minister from thence could be much considered, unless it was upon his own account. But matters were ripening so fast towards a revolution in England, that the king came back to Flanders in all haste, and went from thence to Breda. Lockhart had it in his power to have made a great fortune,

* This was not the case. He was, as is stated in a subsequent page of the text, put into prison at the Restoration, and continued there for many years. He was, in fact, tried, and condemned to be executed, but was pardoned, and died an exile in Guernsey, after remaining there more than thirty years. — Grainger's Biograph. Hist. iv. 2.

† For information on this point, the reader will do well to consult Clarendon's "History of the Rebellion" and "Auto-biography;" Sir Philip Warwick's "Memoirs;" and the biographies of Monk, Ashley Cooper, Montague, and Annesley. After the perusal of these and of many of the private letters of this period, I cannot but think that these statesmen deserve no more applause for the parts they acted in the restoration than is due to men who, seeing the direction taken by public opinion, are discreet enough to yield, and to take the lead, when they observe it would be useless to oppose. That three of them were actuated by disinterested loyalty, can never be demonstrated; and if it could, would be only at the expense of their honour and sworn truth; for but a few months before the restoration of Charles the Second, they had bound themselves by oath to maintain the cause of his opponents. Probably they would have maintained this cause if the voice of the people had been raised in its favour: they intrigued with both parties to the very last, and did not finally display their purple favour until they felt certain that it was most generally esteemed. Dr. Wellwood was a contemporary, and this was his opinion of the duke of Albemarle. His observations and anecdotes are worth reading. See his "Memoirs." Burnet, it will be seen, in the next page, thought similarly.

if he had begun first, and had brought the king to Dunkirk. As soon as the peace of the Pyrenees was made, he came over and found Monk at London, and took all the pains he could to penetrate into his designs. But Monk continued still to protest to him in the solemnest manner possible, that he would be true to the commonwealth, and against the royal family. Lockhart went away, persuaded that matters would continue still in the same state: so that when his old friend Middleton wrote to him to make his own terms, if he would invite the king to Dunkirk, he said, he was trusted by the commonwealth, and could not betray it.

The House of Commons put Monk on breaking the gates of the city of London, not doubting but that would render him so odious to them, that it would force him to depend wholly on themselves. He did it, and soon after he saw how odious he was become by it. So, conceiving a high indignation at those who had put him on such an ungracious piece of service, he sent about all that night to the ministers and other active citizens, assuring them that he would quickly repair that error, if they would forgive it. So the turn was sudden, for the city sent and invited him to dine the next day at Guildhall; and there he declared for the members whom the army had forced away in the year forty-seven and forty-eight, who were known by the name of secluded members. And some happening to call the body that then sat at Westminster *the rump* of a parliament, a sudden humour ran like a madness through the whole city, of roasting the rumps of all sorts of animals *: and thus the city expressed themselves sufficiently. Those at Westminster had no support; so they fell unpitied, and unregarded. The secluded members came, and sat down among them; but all they could do was to give orders for the summoning a new parliament, to meet the first of May: and so they declared themselves dissolved.

There was still a murmuring in the army. So great care was taken to scatter them in wide quarters, and not to suffer too many of those who were still for the old cause, to lie near one another. The well and the ill-affected were so mixed, that in case of any insurrection some might be ready at hand to assist them. They changed the officers, that were ill-affected, who were not thought fit to be trusted with the commanding those of their own stamp; and so created a mistrust between the officers and the soldiers. And above all they took care to have no more troops than was necessary about the city: and those were the best affected. This was managed with great diligence and skill: and by this conduct it was, that the great turn was brought about without the least tumult, or bloodshed; which was beyond what any person could have imagined. Of all this Monk had both the praise and the reward: though I have been told a very small share of it belonged to him. Admiral Montague was then in chief command at sea, newly returned from the Sound, where he and De Ruyter, upon the orders they received from their masters, had brought the two northern kings to a peace, the king of Sweden dying as it was making up. He was soon gained to be for the king; and dealt so effectually with the whole fleet, that the turn there was as silently brought about, without any revolt or opposition, as it had been in the army. The republicans went about like madmen, to rouse up their party. But their time was past. All were either as men amazed, or asleep. They had neither the skill, nor the courage, to make any opposition. The elections of parliament men ran all the other way. So they saw their business was quite lost, and they felt themselves struck as with a spirit of giddiness. And then every man thought only how to save, or secure himself. And now they saw how deceitful the argument from success was, which they had used so oft, and triumphed so much upon. For whereas success in the field, which was the foundation of their argument, depended much upon the conduct and courage of armies, in which the will of man had a large share, here was a thing of another nature: a nation, that had run on long in such a fierce opposition to the royal family, was now turned as one man to call home the king.

The nation had one great happiness during the long course of the civil war, that no

* This is entirely confirmed by Clarendon. The origin of the epithet *rump*, as is the case of many other nick-names, is now uncertain. Like the modern party sobriquets *conservative* and *destructive*, it was probably applied adventitiously; and, as Burnet seems to imply, was popularly adopted. Walker, in his History of Independency, says the remnant of the parliament was so called, because it was "a fag-end, having corrupt maggots in it:"—and Clarendon says, it obtained the name because it was like the fag-end of a carcase long dead. Sir Philip Warwick says, it was called "the rump, or tail of the *long* parliament."—Memoirs, 393.

foreigners had got footing among them. Spain was sinking to nothing: France was under a base-spirited minister *: and both were in war all the while. Now a peace was made between them. And very probably, according to what is in Mazarin's letters, they would have joined forces to have restored the king. The nation was by these means entirely in its own hands: and now, returning to its wits, was in a condition to put every thing in joint again: whereas, if foreigners had been possessed of any important place, they might have had a large share of the management, and would have been sure of taking care of themselves. Enthusiasm was now languid: for that, owing its mechanical force to the liveliness of the blood and spirits, men in disorder and depressed could not raise in themselves those heats, with which they were formerly wont to transport themselves and others. Chancellor Hyde was all this while very busy: he sent over Dr. Morley, who talked much with the presbyterians of moderation in general, but would enter into no particulars: only he took care to let them know he was a calvinist: and they had the best opinion of such of the church of England as were of that persuasion. Hyde wrote in the king's name to all the leading men, and got the king to write a great many letters in a very obliging manner. Some that had been faulty sent over considerable presents, with assurances that they would redeem all that was past with their zeal for the future. These were all accepted. Their money was also very welcome; for the king needed money when his matters were on that crisis and he had so many tools at work. The management of all this was so entirely the chancellor's single performance, that there was scarce any other that had so much as a share in it with him. He kept a register of all the king's promises, and of his own; and did all that lay in his power afterwards to get them all to be performed. He was also all that while giving the king many wise and good advices. But he did it too much with the air of a governor, or of a lawyer. Yet then the king was wholly in his hands.

I need not open the scene of the new parliament, (or convention, as it came afterwards to be called, because it was not summoned by the king's writ,) such unanimity appeared in their proceedings, that there was not the least dispute among them, but upon one single point: yet that was a very important one. Hale, afterwards the famous chief justice, moved that a committee might be appointed to look into the propositions that had been made, and the concessions that had been offered by the late king during the war, particularly at the treaty of Newport, that from thence they might digest such propositions as they should think fit to be sent over to the king. This was seconded, but I do not remember by whom. It was foreseen that such a motion might be set on foot: so Monk was instructed how to answer it, whensoever it should be proposed. He told the house, that there was yet, beyond all men's hope, an universal quiet over the nation; but there were many incendiaries still on the watch, trying where they could first raise the flame. He said, he had such copious informations sent him of these things, that it was not fit they should be generally known: he could not answer for the peace, either of the nation, or of the army, if any delay was put to the sending for the king: what need was there of sending propositions to him? Might they not as well prepare them, and offer them to him, when he should come over? He was to bring neither army nor treasure with him, either to fright them, or to corrupt them. So he moved, that they would immediately send commissioners to bring over the king: and said, that he must lay the blame of all the blood, or mischief, that might follow, on the heads of those, who should still insist on any motion that might delay the present settlement of the nation. This was echoed with such a shout over the house that the motion was no more insisted on †.

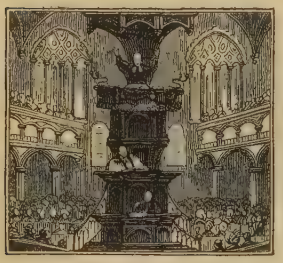
* Cardinal Mazarin.

† Sir Matthew Hale proposed that the articles offered to the king should be in the spirit of those signed by Henry the third, at Kenilworth. It is in the appendix to the statutes at large as the "Dictum de Kenilworth;" and pledges the king to good government, and pardon to those who had been in arms against him. Although negatived, yet Hale's motion was debated during two days.—Chandler's Debates, i. 7. Popular inconstancy is common to a proverb, therefore it is no wonder that the same vulgar throats should give vent to welcoming shouts for the second Charles and for Cromwell; but it is sickening, and engenders suspicion of all public sincerity, to know that such men as sir Harbottle Grimstone, the opponent of monarchy and episcopacy under Charles the First, could bring himself to utter such despicable sycophantic language as that which he used upon the prospect of the return of that monarch's son. This was a part of his consistent pæan.—"Our bells and our bonfires have already began the proclamation of his majesty's goodness, and of our joys. We have told the people, *Our king, the glory of England, is coming home again*, and they have resounded back in our ears, *we are ready, our hearts are ready to receive him.*"

This was indeed the great service that Monk did. It was chiefly owing to the post he was in, and to the credit he had gained : for as to the restoration itself, the tide ran so strong, that he only went into it dexterously enough, to get much fame, and great rewards, for that which will have still a great appearance in history. If he had died soon after, he might have been more justly admired, because less known, and seen only in one advantageous light: but he lived long enough to make it known, how false a judgment men are apt to make upon outward appearance. To the king's coming in without conditions may be well imputed all the errors of his reign. And when the earl of Southampton came to see what he was like to prove, he said once in great wrath to chancellor Hyde, it was to him they owed all they either felt or feared; for if he had not possessed them in all his letters with such an opinion of the king, they would have taken care to have put it out of his power either to do himself, or them, any mischief, which was like to be the effect of their trusting him so entirely. Hyde answered, that he thought the king had so true a judgment, and so much good nature, that when the age of pleasure should be over, and the idleness of his exile, which made him seek new diversions for want of other employment, was turned to an obligation to mind affairs, then he would have shaken off those entanglements. I must put my reader in mind, that I leave all common transactions to ordinary books. If at any time I say things that occur in any books, it is partly to keep the thread of the narration in an unentangled method, and partly, because I neither have heard nor read those things in books; or at least, I do not remember to have read them so clearly, and so particularly, as I have related them. I now leave a mad and confused scene, to open a more august and splendid one.

BOOK II.

OF THE FIRST TWELVE YEARS OF THE REIGN OF KING CHARLES II. FROM THE YEAR 1660 TO THE YEAR 1673.



DIVIDE king Charles's reign into two books, not so much because, consisting of twenty-four years, it fell, if divided at all, naturally to put twelve years in a book: but I have a much better reason for it, since as to the first twelve years, though I knew the affairs of Scotland very authentically, yet I had only such a general knowledge of the affairs of England as I could pick up at a distance: whereas I lived so near the scene, and had indeed such a share in several parts of it, during the last twelve years, that I can write of these with much more certainty, as well as more fully, than of the first twelve. I will, therefore, enlarge more particularly, within the compass that I have fixed for this book, on the affairs of Scotland; both out of the inbred love that all men have for their native country, and more particularly, that I may leave some useful instructions to those of my own order and profession, by representing to them the conduct of the bishops of Scotland: for having observed with more than ordinary niceness all the errors that were committed, both at the first setting up of episcopacy, and in the whole progress of its continuance in Scotland, till it was again overturned there, I am enabled to set all that matter in a full view, and in a clear light.

As soon as it was fixed that the king was to be restored, a great many went over to make their court: among these Sharp, who was employed by the resolutioners of Scotland, was one. He carried with him a letter from the earl of Glencairn to Hyde, made soon after earl of Clarendon, recommending him as the only person capable to manage the design of setting up episcopacy in Scotland: upon which he was received into great confidence. Yet, as he had observed very carefully the success of Monk's solemn protestations against the king for a commonwealth, it seems he was so pleased with the original that he resolved to copy after it, without letting himself be diverted from it by scruples: for he stuck neither at solemn protestations, both by word of mouth and by letters, (of which I have seen many proofs,) nor at appeals to God of his sincerity in acting, for the presbytery, both in prayers and on other occasions, joining with these many dreadful imprecations on himself if he did prevaricate. He was all the while maintained by the presbyterians as their agent, and continued to give them a constant account of the progress of his negociation in their service, while he was indeed undermining it. This piece of craft was so visible, he having repeated his protestations to as many persons as then grew jealous of him, that when he threw off the mask, about a year after this, it laid a foundation of such a character of him, that nothing could ever bring people to any tolerable thoughts of a man, whose dissimulation and treachery were so well known, and of which so many proofs were to be seen under his own hand.

With the restoration of the king, a spirit of extravagant joy spread over the nation, that brought on with it the throwing off the very professions of virtue and piety: all ended in entertainments and drunkenness, which over-ran the three kingdoms to such a degree, that it very much corrupted all their morals. Under the colour of drinking the king's health, there were great disorders and much riot every where: and the pretences of religion, both in those of the hypocritical sort, and of the more honest but no less pernicious enthusiasts, gave great advantages, as well as they furnished much matter to the profane mockers of true piety. Those who had been concerned in the former transactions thought they could not redeem themselves from the censures and jealousies that those brought on them, by any method that was more sure and more easy, than by going into the stream and laughing at all religion,

telling, or making, stories to expose both themselves, and their party, as impious and ridiculous *.

The king was then thirty years of age, and, as might have been supposed, past the levities of youth and the extravagance of pleasure. He had a very good understanding. He knew well the state of affairs both at home and abroad. He had a softness of temper that charmed all who came near him, till they found how little they could depend on good looks, kind words, and fair promises; in which he was liberal to excess, because he intended nothing by them, but to get rid of importunities, and to silence all farther pressing upon him. He seemed to have no sense of religion: both at prayers and sacrament, he, as it were, took care to satisfy people, that he was in no sort concerned in that about which he was employed. So that he was very far from being a hypocrite, unless his assisting at those performances was a sort of hypocrisy (as no doubt it was): but he was sure not to increase that, by any the least appearance of religion. He said once to myself, he was no atheist, but he could not think God would make a man miserable, only for taking a little pleasure out of the way. He disguised his popery to the last. But when he talked freely, he could not help letting himself out against the liberty, that, under the reformation, all men took of inquiring into matters of religion: for, from their inquiring into matters of religion, they carried the humour farther, to inquire into matters of state. He said often, he thought government was a much safer, and easier thing, where the authority was believed infallible, and the faith and submission of the people was implicit: about which I had once much discourse with him. He was affable and easy, and loved to be made so by all about him. The great art of keeping him long was, the being easy, and the making every thing easy to him. He had made such observations on the French government, that he thought a king who might be checked, or have his ministers called to an account by a parliament, was but a king in name. He had a great compass of knowledge, though he never was capable of much application or study. He understood mechanics and physic; and was a good chemist, and much set on several preparations of mercury, chiefly the fixing it. He understood navigation well: but above all he knew the architecture of ships so perfectly, that in that respect he was exact rather more than became a prince. His apprehension was quick, and his memory good. He was an everlasting talker. He told his stories with a good grace: but they came in his way too often. He had a very ill opinion both of men and women; and did not think that there was either sincerity or chastity in the world, out of principle, but that some had either the one, or the other, out of humour or vanity. He thought that nobody did serve him out of love: and so he was quits with all the world, and loved others as little as he thought they loved him. He hated business, and could not be easily brought to mind any: but when it was necessary, and he was set to it, he would stay as long as his ministers had work for him. The ruin of his reign, and of all his affairs, was occasioned chiefly by his delivering himself up at his first coming over to a mad range of pleasure †. One

* The "Autobiography" of Clarendon gives a similar picture of the depravity of morals and manners that prevailed during the reign of "the merry monarch;" but as might be expected, he attributes all the evil to the protectorate. In the reign of Charles was the harvest of which that of Oliver was the seed time. The ill example was set by England to the court, and not as other contemporaries thought the former was the seduced. He forgets that this depravity was confined chiefly to the aristocracy. The rabble is always vicious. The middle classes vindicated the national honour by purging the throne of the Stuarts in the following reign. This is Clarendon's picture of the national depravity. "Children asked not a blessing of their parents; nor did they concern themselves in the education of their children, but were well content that they should take any course to maintain themselves that they might be free from that expense. The young women conversed without any circumspection or modesty, and frequently met at taverns and common eating-houses; whilst they who were stricter and more severe in their comportment became the wives of the seditious preachers, or of officers of the army. The daughters of noble and illustrious families bestowed themselves upon the divines of the time, or other low matches. Every one did that which 'was good in his own eyes.' In a word, the nation was corrupted from that integrity, good nature, and generosity, that had been peculiar to it, and for which it had been signal and celebrated throughout the world."

† If the character of Charles the Second had to be summed up in three appellatives, they might justly be, wit, hypocrite, and profligate—for he was preeminent in all those characters. Illustrative details will occur in the following narrative of his reign; the summary of his character drawn by Dr. Wellwood, another contemporary, is given as closely confirming our author's estimate, though written by no stern censor. "Charles the Second was a prince endowed with all the qualities that might justly have rendered him the delight of mankind, and entitled him to the character of one of the greatest geniuses that ever sat upon a throne, if he had not sullied those excellent parts with the soft pleasures of ease, and had not entertained a fatal friendship that was incompatible with the interest of England. His religion was deism, or rather that which is called so: and if in his exile, or at his death, he went into that of Rome, the first was out of

of the race of the Villiers, then married to Palmer, a papist, soon after made earl of Castlemain, who, afterwards, being separated from him, was advanced to be duchess of Cleveland, was his first and longest mistress, by whom he had five children. She was a woman of great beauty, but most enormously vicious and ravenous: foolish but imperious, very uneasy to the king, and always carrying on intrigues with other men, while yet she pretended she was jealous of him. His passion for her, and her strange behaviour towards him, did so disorder him, that often he was not master of himself, nor capable of minding business, which in so critical a time required great application: but he did then so entirely trust the earl of Clarendon, that he left all to his care, and submitted to his advices as to so many oracles.

The earl of Clarendon was bred to the law, and was like to grow eminent in his profession when the wars began. He distinguished himself so in the House of Commons, that he became considerable, and was much trusted all the while the king was at Oxford. He stayed beyond sea, following the king's fortune, till the restoration; and was now an absolute favourite, and the chief, or the only, minister, but with too magisterial a way. He was always pressing the king to mind his affairs, but in vain. He was a good chancellor, only a little too rough, but very impartial in the administration of justice, He never seemed to understand foreign affairs well: and yet he meddled too much in them. He had too much levity in his wit, and did not always observe the decorum of his post. He was high, and was apt to reject those who addressed themselves to him, with too much contempt. He had such a regard to the king, that when places were disposed of, even otherwise than as he advised, yet he would justify what the king did, and disparage the pretensions of others, not without much scorn; which created him many enemies. He was indefatigable in business, though the gout did often disable him from waiting on the king: yet, during his credit, the king came constantly to him when he was laid up by it *.

complaisance for the company he was then obliged to keep, and the last to a lazy diffidence in all other religions, upon a review of his past life, and the near approach of an uncertain state. His person was tall and well made; his constitution vigorous and healthy; and it is hard to determine, whether he took more pains to preserve it by diet and exercise, or to impair it by excess in his pleasures. In health he was a great pretender to physic and encourager of quacks, by whom he was often cheated of considerable sums of money for their pretended secrets: but whenever he was indisposed, he consulted his physicians, and depended on their skill only. His face was composed of harsh features, difficult to be traced with the pencil; yet in the main it was agreeable; and he had a noble, majestic mien. In contradiction to all the common received rules of physiognomy, he was merciful, good natured, and, in the last twenty-four years of his life, fortunate; if to succeed in most of his designs may be called so. Never prince loved ceremony less, or despised the pageantry of a crown more; yet he was master of something in his person and aspect that commanded both love and veneration at once. He was a great votary to love, and yet the easiest, and most unconcerned rival. He was for the most part not very nice in the choice of his mistresses, and seldom possessed of their first favours; * yet would sacrifice all to please them; and upon every caprice of theirs, denied himself the use of his reason, and acted contrary to his interest. He was a respectful, civil husband; a fond father; a kind brother; an easy enemy; but none of the firmest, or most grateful friends; bountiful by starts; one day lavish to his servants; the next leaving them to starve; glad to win a little money at play, and impatient to lose the thousandth part of what within an hour after he would throw away in gross. He seemed to have nothing of jealousy in his nature, either in matters of love or of power. He bore patiently rivals in the one, and competitors in the other; otherwise he would not have contributed to a foreign greatness at sea, nor given his brother so uncontrolled a share in the government. Though his understanding was quick and lively, with a vast compass of thought, yet he would submit his judgment in the greatest matters to others of much inferior parts: and as he had an extraordinary share of wit himself, so he loved it in others, even when pointed against his own faults and mismanagement. Mechanics were one of his peculiar talents, especially the art of building and working ships; which nobody understood better, nor, if he had lived, would have carried it farther. He had a strong laconic way of expression, and a genteel, easy, and polite way of writing: and when he had a mind to lay aside the king, which he often did in select companies of his own, there were a thousand irresistible charms in his conversation. He loved money only to spend it: and would privately accept of a small sum, paid to himself, in lieu of a far greater to be paid into the exchequer. He did not love business; and sought every occasion to avoid it, which was one reason he passed so much time with his mistresses: yet when necessity called him, none of his council could reason more closely upon matters of state; and he would often, by fits, outdo his ministers in application and diligence. No age produced a greater master in the art of dissimulation; yet no man was less upon his guard, or sooner deceived in the sincerity of others. If he had any one fixed maxim of government, it was to play one party against another, to be thereby more the master of both: and no prince understood better how to shift hands upon every change of scene."

Barbara Villiers, and the other equally noted of the king's concubines, will be noticed in a subsequent page.

* The interesting remarks on the earl by his second son Laurence Hyde, earl of Rochester, are a satisfactory appendix to the above character. These remarks were written on the 9th of December, 1675. "This is the first anniversary day of my father's death, which ought to put me in mind of recollecting myself how I have passed this whole year, the first that I have been left absolutely to

* See also Rercsby's Memoirs, 7.

The next man in favour with the king was the duke of Ormond: a man every way fitted for a court, of a graceful appearance, a lively wit, and a cheerful temper: a man of great expense, decent even in his vices, for he always kept up the form of religion. He had gone through many transactions in Ireland with more fidelity than success. He had made a treaty with the Irish, which was broken by the great body of them, though some few of them adhered still to him. But the whole Irish nation did still pretend that, though they had broken the agreement first, yet he, or rather the king in whose name he had treated with them, was bound to perform all the articles of the treaty. He had miscarried so in the siege of Dublin, that it very much lessened the opinion of his military conduct. Yet his constant attendance on his master, his easiness to him, and his great sufferings for him raised him, to be lord steward of the household, and lord lieutenant of Ireland. He was firm to the protestant religion, and so far firm to the laws, that he always gave good advices: but when bad ones were followed, he was not for complaining too much of them *.

The earl of Southampton was next to these. He was a man of great virtue, and of very good parts. He had a lively apprehension, and a good judgment. He had merited much by his constant adhering to the king's interest during the war, and by the large supplies he had sent him every year during his exile: for he had a great estate, and only three daughters to inherit it. He was lord treasurer: but he soon grew weary of business, as he was subject to the stone, which returned often and violently upon him; so he retained the principles of liberty, and did not go into the violent measures of the court. When he saw the king's temper, and his way of managing, or rather of spoiling business, he grew very uneasy, and kept himself more out of the way than was consistent with that high post. The king stood in some awe of him: and saw how popular he would grow, if put out of his service: and, therefore, he chose rather to bear with his ill humour and contradiction, than to dismiss him. He left the business of the treasury wholly in the hands of his secretary, sir Philip Warwick, who was an honest, but a weak man, and understood the common road of the treasury. He was an incorrupt man, and during seven years management of the treasury made but an ordinary fortune out of it. Before the restoration, the lord treasurer had but a small salary, with an allowance for a table; but he gave, or rather sold, all the subaltern places, and made great profits out of the estate of the crown: but now, that estate being gone, and the earl of Southampton disdaining to sell places, the matter was settled so, that the lord treasurer was to have 8000*l.* a year, and the king was to name all the subaltern officers. It continued to be so all his time: but since that time the lord treasurer has both the 8000*l.* and a main hand in the disposing of those places †.

my own free choice and direction, without that awe and restraint our parents have, or should have, over us. * * I would spend this day particularly, with some reverence to the memory of the best of fathers, and the kindest and wisest friend I ever met with: according to whose counsels I pray God I may regulate my actions, and live and die according to his practice, in imitation of his virtue and honesty towards man, his integrity and duty to the king, (though mistaken and rejected by him), and his piety and resignation to God Almighty."—Singer's Clarendon Correspondence, i. 645. The best commentary upon the earl of Clarendon is his "Autobiography," and its "Continuation": no man need be less afraid of having his path traced and recorded. Sir Philip Warwick, who knew him well, says he was cheerful, industrious, active, and confident in his abilities, which were sound. He adds that he was agreeably eloquent both with his tongue and pen, although his written style was a little too redundant.—Memoirs, 196.

* The duke of Ormond from his youth, till death separated them, was the intimate friend of Clarendon. Burnet's character of him is not sufficiently commendatory to be just. All the histories of his time will show how firm he was in his principles; these, and his "Life," by Mr. Carte, testify that Clarendon was not speaking carelessly when he said that his friend was "a man so accomplished, that he had either no enemies, or only such as were ashamed to profess they were so."—Hist. of the Rebellion, iii. 125, fol. ed.

† The character given in the "Continuation" of Clarendon's Autobiography coincides entirely with that stated in the text, of this talented and incorruptible statesman. "He was a person," says this authority, "of extraordinary parts, of faculties very discerning and a judgment very profound, having great eloquence in his delivery, without the least affectation of words, for he always spoke best on the sudden. In the beginning of the troubles he was looked upon amongst those lords who were least inclined to the court, and so, most acceptable to the people: in truth he was not obliged by the court, and thought himself oppressed by it, which his great spirit could not bear; and so he had for some years forborne to be much there, which was imputed to a habit of melancholy, to which he was naturally inclined, though it appeared more in his countenance than in his conversation, which to those with whom he was acquainted was very cheerful. He was not only an exact observer of justice, but so clear-sighted a discerner of all the circumstances which might disguise it, that no false colour could impose upon him; and of so impartial and sincere a judgment that no prejudice to the person of any man made him less awake to his cause; but believed that there is *aliquid et in hostem nefas*, and that a very ill man might be unjustly dealt with." The same authority gives its testimony to the earl's piety, loyalty, and courage.

The man that was in the greatest credit with the earl of Southampton was sir Anthony Ashley Cooper, who had married his niece, and became afterwards so considerable that he was raised to be earl of Shaftesbury; and since he came to have so great a name, and that I knew him for many years in a very particular manner, I will dwell a little longer on his character, for it was of a very extraordinary composition. He began to make a considerable figure very early. Before he was twenty he came into the House of Commons, and was on the king's side, and undertook to get Wiltshire and Dorsetshire to declare for him; but he was not able to effect it: yet prince Maurice breaking articles to a town, that he had got to receive him, furnished him with an excuse to forsake that side, and to turn to the parliament. He had a wonderful faculty in speaking to a popular assembly, and could mix both the facetious and the serious way of arguing very agreeably. He had a particular talent to make others trust to his judgment, and depend on it; and he brought over so many to a submission to his opinion, that I never knew any man equal to him in the art of governing parties, and of making himself the head of them. He was as to religion a deist at best; he had the dotage of astrology in him to a high degree: he told me that a Dutch doctor had from the stars foretold him the whole series of his life; but that which was before him, when he told me this, proved false, if he told me true: for he said, he was yet to be a greater man than he had been. He fancied that after death our souls lived in the stars. He had a general knowledge of the slighter parts of learning, but understood little to the bottom; so he triumphed in a rambling way of talking, but argued slightly when he was held close to any point. He had a wonderful faculty at opposing, and running things down, but had not the like force in building up. He had such an extravagant vanity in setting himself out, that it was very disagreeable. He pretended that Cromwell offered to make him king; he was indeed of great use to him in withstanding the enthusiasts of that time. He was one of those who pressed him most to accept of the kingship, because, as he said afterwards, he was sure it would ruin him. His strength lay in the knowledge of England, and of all the considerable men in it. He understood well the size of their understandings, and their tempers; and he knew how to apply himself to them so dexterously, that, though by his changing sides so often it was very visible how little he was to be depended on, yet he was to the last much trusted by all the discontented party. He was not ashamed to reckon up the many turns he had made; and he valued himself on the doing it at the properest season, and in the best manner. This he did with so much vanity, and so little discretion, that he lost many by it. And his reputation was at last run so low, that he could not have held much longer, had he not died in good time, either for his family or for his party: the former would have been ruined, if he had not saved it by betraying the latter *.

* So general has been the agreement of writers in vilifying lord Shaftesbury, and so usual is it to stigmatise him with the agnomen of "the infamous," that it may seem to many persons as an affectation of singularity, if it does not subject the writer to worse reflections, to declare the belief that his lordship has been misrepresented: yet there is sufficient evidence to justify the opinion, that so far from being an abandoned profligate, and a corrupt statesman, he was a conscientious man, and an enlightened patriot. To suppose that he never erred is to imagine him super-human; but to say that he seldom was intentionally wrong is no more than the evidences I have examined warrant as a conclusion. In private life we have no testimony that he was depraved—four wives afford some testimony that he was not notoriously a bad husband—he enjoyed the friendship of many distinguished persons, among whom were Mr. Stringer, Mr. Locke, and Dr. Whichcote; men of distinguished virtues, and who, having no political enemies, unlike their noble friend, have left their fame to us free from the distortions of prejudice. His attentions to religious duties were constant, and his chaplain constantly resided in the house. The last hours of the earl's life are stated to have been marked by uncommon patience, resignation, and fortitude; and the gentry, his neighbours, in the county of Dorset, bore an unsophisticated testimony of their regard for him, when they, unsolicited, rode to meet his body when it was landed at Poole, and accompanied it to its last resting-place, Wimborne St. Giles.

To follow him through his political career is not the ungrateful task to an honourable mind, which it has been represented. He commenced it in 1640, and was the friend of the sovereign;—not an ultra-Tory, but a moderate monarchist—and he evinced this in his personal interview with Charles the First. He told the king he was convinced he could restore a general unity. "If your majesty will empower me to treat with the parliamentary garrisons, to grant them a full and general pardon, with an assurance that a general amnesty shall reinstate all things in the same posture they were before the war, and then a free parliament shall do what more remains to be done for the settlement of the nation." The power was given, and he succeeded as far as he was allowed to proceed, but prince Maurice thwarted his designs, and the partizans of the queen and of absolute monarchy regained the ascendancy in the councils of the temporising monarch. Of their principles the earl disapproved. Slighted and disliked by them, he retired from the court party, and sided with the parliament, against the efforts of those whom he found would be contented with nothing short of despotism. Where is

Another man, very near of the same sort, who passed through many great employments, was Annesly, advanced to be earl of Anglesey, who had much more knowledge, and was very learned, chiefly in the law. He had the faculty of speaking indefatigably upon every subject; but he spoke ungracefully, and did not know that he was not good at raillery, for he was always attempting it. He understood our government well, and had examined far into the original of our constitution. He was capable of great application, and was a man of a grave deportment; but stuck at nothing, and was ashamed of nothing. He was neither loved nor trusted by any man or any side; and he seemed to have no regard to common decencies, but sold every thing that was in his power; and sold himself so often, that at last the price fell so low, that he grew useless *.

Hollis was a man of great courage, and of as great pride; he was counted for many years the head of the presbyterian party. He was faithful and firm to his side, and never changed through the whole course of his life. He engaged in a particular opposition to Cromwell in the time of the war. They hated one another equally. Hollis seemed to carry this too far; for he would not allow Cromwell to have been either wise or brave, but often applied Solomon's observation to him, "That the battle was not to the strong, nor favour to the man of understanding, but that time and chance happened to all men." He was well versed in the records of Parliament, and argued well, but too vehemently, for he could not bear contradiction. He had the soul of an old stubborn Roman in him. He was a faithful but a rough friend, and a severe but fair enemy. He had a true sense of religion, and was a man of an unblameable course of life, and of a sound judgment when it was not biassed by passion. He was made a lord for his merits in bringing about the Restoration †.

the Englishman that will condemn him?—That he had been no spy and traitor is proved by his suffering imprisonment rather than inculpate lord Hollis; and by his letter to Charles the second, in which it would be useless to insert the falsehood, if it was one: "I never betrayed, as your majesty knows, the party or councils I was of." When he found the parliamentary party leaning to a republic, and when he felt assured of the ambitious designs of Cromwell, he exerted himself to the utmost to oppose them; the first by encouraging the people to rise and declare themselves partisans of neither party, but anxious for a treaty which would restore the laws and the constitution; the latter by signing the well-known protestation, charging Cromwell with tyranny and despotism. Deceived by the declarations in favour of religious liberty and moderate measures, with many others who had cause to rue their credulity, he supported the restoration of Charles the second. He was by this monarch named to be one of the commissioners for trying the regicides; an office he might with more credit to himself have declined, though it was not an act deserving the character of apostate cruelty, for they were no friends of his upon whom he sat in judgment, and their crimes he had ever condemned. In the same reign he became lord chancellor, and that he executed his high office with honour to himself, and satisfaction to the public, we have the assent of one of his greatest detractors, Dryden, who thus characterises his official conduct:—

"Unbribed, unsought, the wretched to redress,
Swift to despatch, and easy of access."

As a privy councillor and a minister he acted with vigour and consistency, and where the acts of the ministry with which he was connected do not accord with his moderate declared principles, we have the satisfaction of finding he protested against them, and only leave us a regret that he did not acquire honourable dignity by retiring from colleagues with whom he did not agree. The charge against him of instigating the popish plot, and then prosecuting the agents he employed, is supported by no proof, and is refuted by the fact that none of the condemned criminals ever impeached him. Throughout his life he was a friend to the liberty of the subject, and had a hatred to an absolute monarchy. When the king prorogued the parliament for fifteen months, Shaftesbury saw its encroachment upon those liberties, and argued so strenuously that such a long recess caused *ipso facto* a dissolution, that he was imprisoned. He was a stanch promoter of the habeas corpus act. He knew the principles of the duke of York, afterwards the infatuated James the second, and wished to have him excluded from the throne, which procured him the hatred of that monarch's partisans, and from their power he was at length compelled to retire into Holland. Such was the conduct of the first lord Shaftesbury; yet this man has been handed down by political writers as one of the basest of men. The reason is tolerably evident; he was too moderate in his principles to please the republican Whigs, or absolute Tories, of his period;—his comprehensive mind and splendid oratory had embodied and animated a line of politics which satisfied neither; a line of temperate politics, however, which led to the revolution, and which inspires our national councils at the present day. Many notices of this statesman will occur in future pages; but those who wish for a fuller memoir may consult his life, published under the title of "Rawleigh Redivivus;" Locke's Memoirs of him; Dalrymple's "Memoirs" and "Reviews;" the edition of the Biographia Britannica by Kippis, and his "Life" by Mr. Cooke.

* This character is too severe; the opinion of other authorities will be stated in a future note.

† Besides what the editor collected concerning this truly noble character in the "Memoirs of John Selden," there is no need to add any thing to testify how entirely authorities agree in applauding him. It is true that in the despatches of M. Barillon to his master, Louis the fourteenth (Dalrymple's Memoirs, ii. 260), he is stated by that profligate agent to have accepted bribes from the French court; but he brings the same charge against lord Russell and Algernon Sidney. No one act of the lives of these martyrs in the cause of freedom, or of lord Hollis, supports even the suspicion of such a charge. That Barillon received the money may be granted; the only question is, whether he kept, or those patriots accepted, the bribe.

Tarde, quæ credita lædunt, credimus.

The earl of Manchester was made lord chamberlain; a man of a soft and obliging temper, of no great depth, but universally beloved, being both a virtuous and a generous man *. The lord Roberts was made lord privy seal, afterwards lord lieutenant of Ireland, and at last lord president of the council. He was a man of a more morose and cynical temper, just in his administration, but vicious under the appearances of virtue; learned beyond any man of his quality, but intractable, stiff and obstinate, proud and jealous †.

These five, whom I have named last, had the chief hand in engaging the nation in the design of the Restoration. They had great credit, chiefly with the presbyterian party, and were men of much dexterity. So the thanks of that great turn were owing to them; and they were put in great posts by the earl of Clarendon's means, by which he lost most of the cavaliers, who could not bear the seeing such men so highly advanced, and so much trusted.

At the king's first coming over, Monk and Montague were the most considered; they both had the Garter. The one was made duke of Albemarle, and the other earl of Sandwich, and had noble estates given them. Monk was ravenous, as well as his wife, who was a mean, contemptible creature. They both asked, and sold all that was within their reach, nothing being denied them for some time, till he became so useless, that little personal regard could be paid him. But the king maintained still the appearances of it; for the appearance of the service he did him was such, that the king thought it fit to treat him with great distinction, even after he saw into him, and despised him ‡. He took care to raise his kinsman,

* This character of Edward Montague, earl of Manchester, we may consider as faithful, because contemporary partisans of all hues coincide in his portraiture. He was known during the civil contest as lord Kimbolton, and as viscount Mandeville; and finally, upon the death of his father, the lord privy seal, he became earl of Manchester. Two other contemporaries describe him as gentle, generous, talented, and well-educated; and disapproving, as they did, his political conduct, yet they could find in him no fault for reprehension. Their gentle censure is, indeed, his greatest praise. "He loved his country," says Clarendon, "with too unskilful a tenderness;"—and sir Philip Warwick says, "that with all his good nature he did the royal cause as much harm as any of its opponents; that is, he did his duty, for he commanded the parliament army. He was equally the friend of freedom and monarchy. Up to the battle of Newbury in 1644, he acted vigorously against the king; but at that era, probably, he became aware of the fatal consequences to monarchy that would ensue if the royal army was destroyed. He was suspected, and removed from his command. He assisted in promoting the restoration of Charles the second, and was appointed, by this king, lord chamberlain of his household. He died in 1671, aged sixty-nine. See a full account of him in Clarendon's History of the Rebellion, particularly in the second volume, p. 161—the continuation of his autobiography, ii. 26, fo. ed., and sir Philip Warwick's Memoirs, 246.

† John, lord Roberts, succeeded to that title upon the death of his father. They were a Cornwall family. He was a member of the long parliament, adhered to the opponents of the king, and fought against him successfully both as a subaltern and general. He opposed the extreme measures which led to the execution of Charles the first; withdrew from public affairs during the protectorate; but upon the Restoration, in effecting which he was very influential, he returned to court, and obtained the offices mentioned in the text. He was made lord privy seal in 1662, but his conduct did not give satisfaction to the rest of the king's council. Ireland was at this juncture in a very distracted state, particularly on account of the settling the various claims to its forfeited estates. Lord Roberts, being a man of more than common intelligence, well versed in the laws, and esteemed of an integrity not to be corrupted with money, was chosen to be sent to that country; but it had been forgotten, in the anxiety to remove him, that he was morose, difficult of access, pedantic to an excess that delayed affairs, and excessively proud. These ill qualities soon rendered his removal from the Irish appointment necessary; for he treated the most noble of the Irish so superciliously, and even contemptuously, that after they had waited upon him a few days, they requested of the king to be excused attending him. He was a man of too much influence to be treated with indifference, so with some art he was persuaded to resign the appointment, and accept the office of president of the council, with the title of earl of Radnor. This was in 1679. He survived this appointment six years. To show his extraordinary talent, he is said to have found a way more to obstruct and puzzle business than any man, as lord privy seal, had ever done before. This was so extreme that the king gave orders that grants and patents requiring haste should pass by immediate warrant to the great seal. It is doubtful if this conduct of the earl does not require more commendation than censure, for he lived in a reign when such grants were too profusely disbursed.—Wood's Athenæ Oxon. ii. 787, fo. ed.—Continuation of Clarendon's Life, ii. 67, and 102, fo. ed. A daughter of the earl was married, first, to the earl of Drogheda, and secondly to Wycherley, the poet. Her introduction to the latter was remarkable. She inquired in a shop at Tonbridge for "The Plain Dealer." Wycherley, its author, was standing by, and a gentleman promptly replied to her, and pointing to him, "Madam, there is the Plain Dealer for you." An acquaintance ensued that ended in their marriage.—Grainger's Biog. Dict. iv. 140, ed. 1824.

‡ If the duke of Albemarle's character is estimated from a view of his talents and courage as a commander, either of land or sea forces, he must rank very high in the scale of merit; but if we consider his worth as a statesman or as a private individual, he sinks decidedly to mediocrity. He was at first attached to the royalist cause; then he united with Cromwell whilst in the ascendant; and, finally, when the popular feeling again vacillated to the Stuarts, he was judiciously active in securing the Restoration. It is possible that throughout he was a royalist—in that case he was base and perjured, for he took the covenant; but the most probable conclusion to be drawn from the facts of his life is, that he was willing to be any thing by profession that would best serve his interests. If the characters

Granville, who was made earl of Bath and groom of the stole, a man who thought of nothing but of getting and spending money *. The duke of Albemarle raised two other persons; one was Clarges, his wife's brother, who was an honest, but haughty man. He became afterwards a very considerable parliament man, and valued himself on his opposing the court, and on his frugality in managing the public money; for he had Cromwell's economy ever in his mouth, and was always for reducing the expense of war to the modesty and parsimony of those times. Many thought he carried this too far, but it made him very popular. After he was become very rich himself by the public money, he seemed to take care that nobody else should grow as rich as he was in that way †. Another man, raised by the duke of Albemarle, was Morrice, who was the person that had prevailed with Monk to declare for the king: upon that he was made secretary of state. He was very learned, but full of pedantry and affectation. He had no true judgment about foreign affairs; and the duke of Albemarle's judgment of them may be measured by what he said, when he found the king grew weary of Morrice, but that in regard to him he had no mind to turn him out; "he did not know what was necessary for a good secretary of state in which he was defective, for he could speak French and write short hand ‡."

of him, given by his friends, as well as by his enemies, be compared, they amount to this outline, that he was courageous, cunning, and selfish. He died in 1670.

Anne, his wife, had been his mistress. Aubrey says, that when Monk was confined in the Tower, his sempstress, Nan Clarges, a blacksmith's daughter, was kind to him in a double capacity. It must be remembered that he was then in want, and that he was indebted to her for assistance. She became pregnant by him, though it is certain that he could not be fascinated either by her beauty or cleanliness. She never could lose the manners of her early life; but when of the highest dignity in the peerage gave way to the most violent bursts of rage, and when under their influence poured forth a most eloquent torrent of curse-sprinkled abuse. Her husband was unquestionably afraid of her; she was always a royalist, and as he had a high opinion of her mental qualifications, she probably influenced him considerably in the course he adopted. If this is doubtful, it is not at all so that she aided with the utmost care and natural rapacity in obtaining all the rewards she could for his services.—Skinner's Life of the Duke of Albemarle—Sir P. Warwick's Memoirs, 408, &c.—Continuation of Clarendon's Life, ii. 25.

Sir P. Warwick states decidedly that Monk was requested to accept the crown by Haselrig and his party in the parliament. He was descended from an illegitimate son of Edward the fourth. Monk was too wise to attempt this crusade.—Memoirs, 426.

* That sir John Granville was a grasping courtier, may be true, for upon the death of the duke of Albemarle he desired, but was denied, Theobalds, which then reverted to the crown. It is true his services merited a high reward, for he was a very active agent in carrying on the correspondence between Charles the second when in exile, and those who were his declared friends, or whom he wished to gain to that band of supporters; yet in accordance with those merits, he was advanced to the titles of Lord Granville of Kilkhampton and Biddiford, viscount Granville of Lansdown, the battle where his father was slain, and earl of Bath. He was made a privy councillor, groom of the stole, first gentleman of the bedchamber, and lord warden of the stanneries, with a pension of £3000 a year.—Memoirs of illustrious Persons who died in the year 1711, p. 336, a work of authority, and which was the first annual obituary published. Its date is 1712. See also the Diaries and Correspondence of the Earls of Clarendon and Rochester, i. 658.—Clarendon's History of the Rebellion, ii. and iii.—Warwick's Memoirs, 431, &c.—Wood's Fasti, &c.

† Sir Thomas Clarges was of low extraction, being the brother of the duchess of Albemarle, mentioned in the last note but one; yet from the figure he made as a debater in the House of Commons, the intimacy he had with the second earl of Clarendon, and his employment in the delicate office of negotiating with his brother-in-law to assist in the Restoration of Charles the second, he must have been a man of intellect and discretion. It is believed that Mr. Phillips, the continuer of Baker's Chronicle, had his chief materials from sir Thomas Clarges. Sir Philip Warwick describes him as being busy and active. He opposed the exclusion of James the second from the throne, and was inimical to the revolution.—Correspondence, &c. of the Earls of Clarendon and Rochester, *passim*.—Wood's Athenæ, ii. 72, fo.—Warwick's Memoirs, 420—Gray's Debates in Parliament, *passim*.

‡ Sir William Morrice was related by his wife, a daughter of sir Nicholas Prideaux, to the duke of Albemarle. The duke had entrusted him with the management of his Devonshire affairs, and found he acted so discreetly, that he made a more intimate acquaintance, and employed him as his chief agent in negotiating with the royalist party. The king partook of this confidence, and in February, 1660, entrusted him with the signet of the secretary of state, to which office he was eventually appointed. He was one of the members excluded from the long parliament, and continued in the senate until his retirement from office, at his own desire, in 1668. He returned to his country residence, and passed the remainder of his life in that literary ease which most delighted him. He died in 1676. It is certain that he was not qualified for the state office to which he had been promoted; for although learned, his learning was chiefly from the older classics; he knew very little of foreign nations. The king is said to have promoted him to the secretaryship purely to oblige the duke, and he was continued only because his removal might disoblige the same influential nobleman. Whilst in office he behaved honestly, diligently, and without reproach. What was very important was his high reputation in the House of Commons. In contradiction of the saying concerning him attributed to the duke by our author, it is said by another authority that he had no knowledge of modern languages, often making the king laugh by his false pronunciation. He discoursed with the ambassadors in Latin fluently and elegantly. He was moral and virtuous; for the same authority says, in all domestic affairs no man doubted his sufficiency, except in the garb, and mode, and humour of the court. He was a presbyterian, and wrote one or two theological tracts.—Wood's Athenæ Oxon, ii. 571—Continuation of Clarendon's Life, ii. 193—Warwick's Memoirs, 420. It is said of him, he would

Nicolas was the other secretary, who had been employed by king Charles the first during the war, and had served him faithfully, but had no understanding in foreign affairs. He was a man of virtue, but could not fall into the king's temper, or become acceptable to him*. So not long after the Restoration, Bennet, advanced afterwards to be earl of Arlington, was, by the interest of the popish party, made secretary of state; and was admitted into so particular a confidence, that he began to raise a party in opposition to the earl of Clarendon. He was a proud man. His parts were solid, but not quick. He had the art of observing the king's temper, and managing it beyond all the men of that time. He was believed a papist: he had once professed it, and when he died, he again reconciled himself to that church; yet in the whole course of his ministry, he seemed to have made it a maxim, that the king ought to show no favour to popery, but that all his affairs would be spoiled if ever he turned that way, which made the papists become his mortal enemies, and accuse him as an apostate, and the betrayer of their interests †. His chief friend was Charles Berkley, made earl of Falmouth, who without any visible merit, unless it was the managing the king's amours, was the most absolute of all the king's favourites: and, which was peculiar to himself, he was as much in the duke of York's favour as in the king's. Berkley was generous in his expense; and it was thought, if he had outlived the lewdness of that time, and come to a more sedate course of life, he would have put the king on great and noble designs. This I should have thought more likely, if I had not had it from the duke, who had so wrong a taste, that there was reason to suspect his judgment both of men and things. Bennet and

never suffer any man to say grace in his house except himself; "there," he said, "he was both priest and king."—Grainger's Biog. History, v. 101.

* The character of Sir Edward Nicolas is sketched in a few words by his contemporary, Sir Philip Warwick, a character coincident with that given him by partisans of all hues. "He was a gentleman of good natural and acquired parts, of unshaken loyalty, eminent probity, and indefatigable industry." He was educated for the legal profession, and was from an early age connected with public affairs. He was successively one of the six clerks in chancery, and secretary to the high admirals, lord Zouch and the duke of Buckingham; the latter was talking to him when stabbed by Felton. Subsequently he was clerk of the council, and secretary of state in 1642. He was the intimate friend of the lord chancellor Clarendon. In the "Autobiography" of the latter is an interesting account of the amiable firmness with which he refused to be made secretary of state, to the disparagement of his old friend. He adhered to Charles the first through all his adversity; was forced into exile during the whole of the interregnum; and was continued in his secretaryship by Charles the second, until his integrity was found to be inconvenient. The ruin of Clarendon had been determined, and a preliminary step was to remove his friend, sir Edward, and appoint in his place an inveterate foe, sir Henry Bennet. The intrigue was sustained successfully by the king's mistress, Mrs. Palmer, and the steps are detailed in the Continuation of Clarendon's Life, Sir Edward saw it was useless to oppose the proceeding, but he expressed to the king a hope that after more than forty years of service to the crown, he should not be exposed to disgrace; and reminded his majesty that he had a wife and children who had suffered with him in exile, and that he could not completely provide for them without the royal bounty. The king gave him £20,000. He retired from office in 1663, and died six years after, aged seventy-seven. Full and interesting information concerning this truly amiable and worthy man may be read in Clarendon's Autobiography; Papers, and History of the Rebellion; Grainger's Biographical Dictionary; Carte's Collection of Letters; and Wood's Fasti Oxoniensis, i. 236. fo.

† Of sir Henry Bennet, earl of Arlington, no more lengthy notice need be taken here than to mention some of the facts of his early and concluding days, as the chief transactions of his official life will have to be noticed in various succeeding pages. He was born in 1618, being the son of sir John Bennet, of Arlington, in Middlesex. His mother was the daughter of sir John Crofts; and thence, according to Wood, he became the nephew of Killigrew, the wit, generally known as Charles the second's jester. When at Oxford he was distinguished as an easy versifier, and several of his productions were published. Upon the king, Charles the first, coming to Oxford, Bennet volunteered into his army, and was besides chosen to be his chief secretary by lord Digby, then secretary of state. This might have excused him from active service in arms, but his spirit would not permit; and he bore, especially upon his nose, many honourable scars acquired in the onslaught of battle. When declining in favour with Charles the second, with little wit and less gratitude, this monarch allowed him to be mimicked in his presence by some of his ribald courtiers, who condescended to put a patch on their noses, and to strut about with a staff in imitation of the earl's gait.—Echard's Hist. of England, 911. He adhered to the royalist cause during the whole interregnum; became secretary to the duke of York, and was knighted at Bruges in 1658. This was just previous to his being sent as lieger to the court of Spain, from whence he was recalled at the Restoration, and made keeper of the privy purse, until, as we have just noticed, he was intrigued into the office of secretary of state.

He died in 1685. The statement of Burnet, that he reverted to papacy on his death-bed, seems altogether doubtful. He always opposed the papal interest; recommended the withdrawal from England of James the second, when duke of York; always professed himself a protestant; and certainly educated his only daughter in communion with that persuasion.

A full and impartial biography of this statesman is in the Biographia Britannica. See also Wood's Fasti Oxoniensis, ii. 155—Athenæ, ii. 1081—Miscellanea Aulica—Clarendon's Hist. of the Rebellion—Carte's Life of the Duke of Ormond—North's Examen—Babington's Letters of the Earl of Arlington—Sir W. Temple's Works—Continuation of Clarendon's Life, ii. 181, 358, &c.

Berkley had the management of the mistress * ; and all the earl of Clarendon's enemies came about them ; the chief of whom were the duke of Buckingham and the earl of Bristol.

The first of these was a man of noble presence. He had a great liveliness of wit, and a peculiar faculty of turning all things into ridicule with bold figures and natural descriptions. He had no sort of literature : only he was drawn into chemistry : and for some years he thought he was very near finding the philosopher's stone ; which had the effect that attends on all such men as he was, when they are drawn in, to lay out for it. He had no principles of religion, virtue, or friendship. Pleasure, frolic, or extravagant diversion, was all that he laid to heart. He was true to nothing, for he was not true to himself. He had no steadiness nor conduct : he could keep no secret, nor execute any design without spoiling it. He could never fix his thoughts, nor govern his estate, though then the greatest in England. He was bred about the king : and for many years he had a great ascendant over him : but he spake of him to all persons with that contempt, that at last he drew a lasting disgrace upon himself. And he at length ruined both body and mind, fortune and reputation equally. The madness of vice appeared in his person in very eminent instances ; since at last he became contemptible and poor, sickly, and sunk in his parts, as well as in all other respects, so that his conversation was as much avoided as ever it had been courted. He found the king, when he came from his travels in the year 45, newly come to Paris, sent over by his father when his affairs declined : and finding the king enough inclined to receive ill impressions, he, who was then got into all the impieties and vices of the age, set himself to corrupt the king, in which he was too successful, being seconded in that wicked design by the lord Percy. And to complete the matter, Hobbs was brought to him, under the pretence of instructing him in mathematics : and he laid before him his schemes, both with relation to religion and politics, which made deep and lasting impressions on the king's mind. So that the main blame of the king's ill principles, and bad morals, was owing to the duke of Buckingham †.

The earl of Bristol was a man of courage and learning, of a bold temper and a lively wit, but of no judgment, nor steadiness. He was in the queen's interest during the war at Oxford. And he studied to drive things past the possibility of a treaty, or any reconciliation ; fancying that nothing would make the military men so sure to the king, as his being sure to them, and giving them hopes of sharing the confiscated estates among them ; whereas, he thought, all discourses of treaty made them feeble and fearful. When he went beyond sea he turned papist. But it was after a way of his own : for he loved to magnify the difference between the church and the court of Rome. He was esteemed a very good speaker : but he was too copious, and too florid. He was set at the head of the popish party, and was a violent enemy of the earl of Clarendon ‡.

* The only virtues of the earl of Falmouth were constancy in his attachment to the Stuarts, and determined courage. These were family endowments ; his father, sir Charles Berkley, possessed them, as did his other son, admiral sir William Berkley. The earl and his brother were both killed at sea, fighting against the Dutch. In other respects the earl was a wretched profligate. To curry favour with the prevailing interest of the Stuart family, he was base enough to declare that he had been criminally connected with the earl of Clarendon's daughter, whom James the Second, then duke of York, was about to marry ; but when he saw it to his interest, he as promptly confessed that to be a calumny, and begged the lady's pardon. For these and other sycophantic vile services, he was gradually raised from being captain of the guard to be keeper of the privy purse, in the place of sir Henry Bennet, just noticed ; and soon after viscount Fitzharding, and earl of Falmouth. He was such a favourite with Charles the second, that the monarch refused him nothing; though, as the continuer of Clarendon's Life observes, he was dissolute, and prone to every kind of wickedness. If he had been virtuous, he would not have been a favourite of the kingly companion of Rochester, Buckingham, and a court of prostitutes. — Clarendon's Autobiography, continued ii. 33, *&c.*

† This profligate nobleman has already been noticed.

‡ The earl of Bristol is more generally known for the parts he acted in the farcical and tragical passages of the parliamentary war, as George, lord Digby. It is impossible to follow this eccentric nobleman through all the romantic adventures and extraordinary changes of his life. In early youth he acquired that learning and taste for literature that never left him : this, and that his courage was united to a readiness to forgive injuries, are all that can be said in his favour. As a politician, at first he supported the parliament, but subsequently joined Charles the first ; he conducted the charges against Strafford, and then opposed his execution ; during the interregnum, he entered the service of France, strove to become its prime minister ; and then joined their deadly enemies, the Spaniards, and became with them as great a favourite ; at first a protestant, and writer against popery, he in conclusion became a professor of this religion, yet with inveterate inconsistency voted in favour of the Test Act. No rebuffs broke his spirit ; no intrigues were too subtle, no adventures too daring or romantic for him to undertake : he had the unfortunate talent of converting his best friends into his most inveterate foes. The earl of Clarendon, his constant friend, he impeached of high treason. With large paternal estates, he managed to settle them

Having now said as much as seems necessary to describe the state of the court and ministry at the Restoration, I will next give an account of the chief of the Scots, and of the parties that were formed among them. The earl of Lauderdale, afterwards made duke, had been for many years a zealous covenanter: but in the year forty-seven he turned to the king's interests; and had continued a prisoner all the while after Worcester fight, where he was taken. He was kept for some years in the Tower of London, in Portland Castle, and in other prisons, till he was set at liberty by those who called home the king. So he went over to Holland. And since he continued so long, and contrary to all men's opinions, in so high a degree of favour and confidence, it may be expected that I should be a little copious in setting out his character; for I knew him very particularly. He made a very ill appearance: he was very big: his hair red, hanging oddly about him: his tongue was too big for his mouth, which made him bedew all that he talked to: and his whole manner was rough and boisterous, and very unfit for a court. He was very learned, not only in Latin, in which he was a master, but in greek and hebrew. He had read a great deal of divinity, and almost all the historians, ancient and modern: so that he had great materials. He had with these an extraordinary memory, and a copious but unpolished expression. He was a man, as the duke of Buckingham called him to me, of a blundering understanding. He was haughty beyond expression, abject to those he saw he must stoop to, but imperious to all others. He had a violence of passion that carried him often to fits like madness, in which he had no temper. If he took a thing wrong, it was a vain thing to study to convince him: that would rather provoke him to swear, he would never be of another mind: he was to be let alone: and perhaps he would have forgot what he had said, and come about of his own accord. He was the coldest friend and the most violent enemy I ever knew: I felt it too much not to know it. He at first seemed to despise wealth: but he delivered himself up afterwards to luxury and sensuality: and by that means he ran into a vast expense, and stuck at nothing that was necessary to support it. In his long imprisonment he had great impressions of religion on his mind: but he wore these out so entirely, that scarce any trace of them was left. His great experience in affairs, his ready compliance with every thing that he thought would please the king, and his bold offering at the most desperate counsels, gained him such an interest in the king, that no attempt against him, nor complaint of him, could ever shake it, till a decay of strength and understanding forced him to let go his hold. He was in his principles much against popery and arbitrary government: and yet by a fatal train of passions and interests he made way for the former, and had almost established the latter. Whereas some, by a smooth deportment, made the first beginnings of tyranny less discernible and unacceptable, he by the fury of his behaviour heightened the severity of his ministry, which was liker the cruelty of an inquisition than the legality of justice. With all this he was a presbyterian, and retained his aversion to king Charles I. and his party to his death *.

The earl of Crawford had been his fellow prisoner for ten years. And that was a good

in such a manner as to be of no avail to himself; and though large sums of money were given him by all the sovereigns he served, yet his gambling and his mistresses, both of which were unlimited, kept him constantly poor. He died in 1677, aged fifty-five. Dr. Kippis sums up his excellent biographical sketch of this nobleman by observing, "that he affords a striking proof that the brightest genius, the most splendid talents, the most extensive knowledge, and the richest eloquence, are of little advantage to their possessor, unless sustained by steadiness of principle, and of conduct." Lord Clarendon, writing to him, advised him not to enter into the French service, but to remain quiet, and gain wisdom by taking a retrospect of his past life; "you may in this disquisition," said his sage friend, "consider by what frowardness of fortune it comes to pass, that a man of the most exquisite parts of nature and art that this age hath brought forth, hath been without success in those very actions for which meaner men have been highly commended; that a man of the most candid and obliging disposition, of the most unrevengeful and inoffensive temper and constitution, should not only have fewer friends in the general crowd of lookers on, than many stubborn and unsociable complexions use to find, but more enemies among those, whose advancement and prosperity he hath contributed to, than ever man met with." Occasion will occur in future pages to notice some of the earl's actions; but more of him will be found, repaying the perusal with amusement and instruction, in Clarendon's Papers, iii. 330, &c.; in the Continuation of Clarendon's Life, and in his History of the Rebellion, as well as in Wood's Athenæ Oxonienses, ii. 579. fo.; Whitelock's Memorials; and the Parliamentary History. A memoir of him by Dr. Kippis, in his edition of the Biographia Britannica, has already been quoted.

* John Hamilton, duke of Lauderdale, was a man without any ambiguity of character—he was mean, selfish, avaricious, and tyrannical; historians, however prejudiced, agree on this point. Clarendon says he was proud, ambitious, insolent, imperious, flattering, and dissembling; qualified for, and practised in, the darkest intrigues; sufficiently courageous not to fail where courage was absolutely necessary, and without impediment of honour to restrain

title for maintaining him in the post he had before, of lord treasurer. He was a sincere but weak man, passionate and indiscreet, and continued still a zealous presbyterian*. The earl, afterwards duke of Rothes, had married his daughter, and had the merit of a long imprisonment likewise to recommend him: he had a ready dexterity in the management of affairs, with a soft and insinuating address: he had a quick apprehension with a clear judgment: he had no advantage of education, no sort of literature: nor had he travelled abroad: all in him was mere nature †.

The earl of Tweedale was another of lord Lauderdale's friends. He was early engaged in business, and continued in it to a great age. He understood all the interests and concerns of Scotland well: he had a great stock of knowledge, with a mild and obliging temper. He was of a blameless, or rather an exemplary life in all respects. He had loose thoughts both of civil and ecclesiastical government; and seemed to think, that what form soever was uppermost was to be complied with. He had been in Cromwell's parliament, and had abjured the royal family, which lay heavy on him. But the disputes about the guardianship of the duchess of Monmouth and her elder sister, to which he pretended in the right of his wife, who was their father's sister, against her mother, who was lord Rothes' sister, drew him into that compliance which brought a great cloud upon him: though he was in all other respects the ablest and worthiest man of the nobility: only he was too cautious and fearful †.

A son of the marquis of Douglas, made earl of Selkirk, had married the heiress of the family of Hamilton, who by her father's patent was duchess of Hamilton: and when the heiress of a title in Scotland marries one not equal to her in rank, it is ordinary at her desire to give her husband the title for life: so he was made duke of Hamilton. He then passed for a soft man, who minded nothing but the recovery of that family from the great debts under which it was sinking, till it was raised up again by his great management. After he had compassed that, he became a more considerable man. He wanted all sort of polishing: he was rough and sullen, but candid and sincere. His temper was boisterous, neither fit to submit, nor to govern. He was mutinous when out of power, and imperious in it. He wrote well, but spoke ill; for his judgment, when calm, was better than his imagination. He made himself a great master in the knowledge of the laws, of the history, and of the families of Scotland; and seemed always to have a regard to justice, and the good of his country: but a narrow and selfish temper brought such an habitual meanness on him, that he was not capable of designing or undertaking great things ‡.

Another man of that side, who made a good figure at that time, was Bruce, afterwards earl

him from doing anything that might gratify any of his passions.—Hist. of Rebellion, iii. 97, fo. That the characters given him by Burnet and Clarendon were merited will be seen by his conduct in transactions which will be noticed hereafter. He died in 1682, aged sixty-eight.

* The continuer of Clarendon's Autobiography says, that the retention of the earl of Crawford and Lindsey in office was owing to the influence of the earl of Lauderdale. He is there described as a man inclined to restrain the prerogative of the crown, and a most zealous presbyterian, qualifications which prevented the other commissioners of Scotland discussing in his presence many most important measures. To use language undisguised, he was opposed to persecution, and to forcing episcopacy upon his countrymen. With characteristic faithfulness, Charles the Second told the earl of Middleton, that he would seek occasion to turn Crawford out to make way for him.—Continuation of Clarendon's Life, ii. 52.

† John Leslie, duke of Rothes, was only eleven years old when he became possessed of his hereditary estates and honours. His mother having died the previous year, he was left an orphan, and being betrothed to the eldest daughter of the earl of Crawford, he was taken into this nobleman's family. Here his education was almost entirely neglected; perhaps a neglect, to which may be traced the bigotry, obstinacy, and cruelty of his after life, for these are all the legitimate offspring of ignorance. In 1650, being within a year of his majority, he removed to Leslie, his ancestorial residence, and lived with suitable magnificence. He sided with Charles the Second, and at the head of a regiment of horse raised from among his own dependants, he was captured at the battle of Worcester, by Cromwell's army. He remained four years in custody, and then obtained only a temporary liberty, through the influence of the beauteous and intriguing Elizabeth Murray, countess of Dysart, almost the only woman to whom Cromwell is said to have shewn amorous attentions. In 1658, he was again incarcerated, but his detention continued only eleven months. Just previous to the restoration, he joined Charles the Second at Breda. The chief of his subsequent public acts will be noticed in other parts of this volume. He died in 1681. His funeral was a pageant so splendid, that it is recorded in an engraving. —Grainger's Biographical History, iv. 209

‡ Lord William Douglas was created earl of Selkirk in 1646. He was raised to the dukedom of Hamilton upon the petition of his wife in 1660. He was by education a papist, his ancestors professing the same religion. He was a very handsome man, and having gained the affections of the youthful duchess, to obtain her and the wide domains she had inherited from her father, and from her uncle who fell in Worcester fight, he consented to embrace the protestant creed. He died in 1694. He was chief commissioner for Scotland.—Continuation of Clarendon's Life, ii. 50.

of Kincardine, who had married a daughter of Mr. Somelsdych in Holland: and by that means he had got acquaintance with our princes beyond sea, and had supplied them liberally in their necessities. He was both the wisest and the worthiest man that belonged to his country, and fit for governing any affairs but his own; which he, by a wrong turn, and by his love for the public, neglected to his ruin; for they consisting much in works, coals, salt, and mines, required much care; and he was very capable of it, having gone far in mathematics, and being a great master of mechanics. His thoughts went slow, and his words came much slower: but a deep judgment appeared in every thing he said or did. He had a noble zeal for justice, in which even friendship could never bias him. He had solid principles of religion and virtue, which shewed themselves with great lustre on all occasions. He was a faithful friend, and a merciful enemy. I may be perhaps inclined to carry his character too far; for he was the first man that entered into friendship with me. We continued for seventeen years in so entire a friendship, that there was never either reserve or mistake between us all the while till his death. And it was from him that I understood the whole secret of affairs; for he was trusted with every thing. He had a wonderful love to the king; and would never believe me, when I warned him what he might look for, if he did not go along with an abject compliance in every thing. He found it true in conclusion. And the love he bore the king made his disgrace sink deeper in him, than became such a philosopher, or so good a christian as he was.

I now turn to another set of men, of whom the earls of Middleton and Glencairn were the chief. They were followed by the herd of the cavalier party, who were now very fierce and full of courage over their cups, though they had been very discreet managers of it in the field, and in time of action. But now every one of them boasted that he had killed his thousands. And all were full of merit, and as full of high pretensions; far beyond what all the wealth and revenues of Scotland could answer. The subtilest of all lord Middleton's friends, was sir Archibald Primrose: a man of long and great practice in affairs; for he and his father had served the crown successively an hundred years all but one, when he was turned out of employment. He was a dexterous man in business: he had always expedients ready at every difficulty. He had an art of speaking to all men, according to their sense of things: and so drew out their secrets while he concealed his own: for words went for nothing with him. He said every thing that was necessary to persuade those he spoke to, that he was of their mind; and did it in so genuine a way that he seemed to speak his heart. He was always for soft counsels, and slow methods: and thought that the chief thing that a great man ought to do was, to raise his family and his kindred, who naturally stick to him; for he had seen so much of the world, that he did not depend much on friends, and so took no care in making any. He always advised the earl of Middleton to go slowly in the king's business; but to do his own effectually, before the king should see he had no farther occasion for him. That earl had another friend, who had more credit with him, though Primrose was more necessary for managing a parliament: he was sir John Fletcher, made the king's advocate, or attorney general: for Nicholson was dead. Fletcher was a man of a generous temper, who despised wealth, except as it was necessary to support a vast expense. He was a bold and fierce man, who hated all mild proceedings, and could scarce speak with decency or patience to those of the other side. So that he was looked on by all that had been faulty in the late times, as an inquisitor general. On the other hand Primrose took money liberally, and was the intercessor for all who made such effectual applications to him.

The first thing that was to be thought on, with relation to Scotch affairs, was the manner in which offenders in the late times were to be treated: for all were at mercy. In the letter the king wrote from Breda to the parliament of England he had promised a full indemnity for all that was past, excepting only those who had been concerned in his father's death: to which the earl of Clarendon persuaded the king to adhere in a most sacred manner; since the breaking of faith in such a point was that which must for ever destroy confidence, and the observing all such promises seemed to be a fundamental maxim in government, which was to be maintained in such a manner, that not so much as a stretch was to be made in it. But there was no promise made for Scotland: so all the cavaliers, as they were full of revenge,

hoped to have the estates of those who had been concerned in the late wars divided among them. The earl of Lauderdale told the king, on the other hand, that the Scotch nation had turned eminently, though unfortunately, to serve his father in the year forty-eight; that they had brought himself among them, and had lost two armies in his service, and had been under nine years' oppression on that account; that they had encouraged and assisted Monk in all he did: they might be therefore highly disgusted, if they should not have the same measure of grace and pardon that he was to give England. Besides, the king, while he was in Scotland, had in the parliament of Stirling passed a very full act of indemnity, though in the terms and with the title of an act of approbation. It is true, the records of that parliament were not extant, but had been lost in the confusion that followed upon the reduction of that kingdom: yet the thing was so fresh in every man's memory, that it might have a very ill effect, if the king should proceed without a regard to it. There was indeed another very severe act made in that parliament against all that should treat or submit to Cromwell, or comply in any sort with him: but, he said, a difference ought to be made between those who during the struggle had deserted the service and gone over to the enemy, of which number it might be fit to make some examples, and the rest of the kingdom who upon the general reduction had been forced to capitulate: it would be hard to punish any for submitting to a superior force, when they were in no condition to resist it. This seemed reasonable: and the earl of Clarendon acquiesced in it. But the earl of Middleton and his party complained of it, and desired that the marquis of Argyle, whom they charged with an accession to the king's murder, and some few of those who had joined in the remonstrance while the king was in Scotland, might be proceeded against. The marquis of Argyle's craft made them afraid of him: and his estate made them desire to divide it among them. His son, the lord Lorn, was come up to court, and was well received by the king: for he had adhered so firmly to the king's interest, that he would never enter into any engagements with the usurpers: and upon every new occasion of jealousy he had been clapt up. In one of his imprisonments he had a terrible accident from a cannon bullet, which the soldiers were throwing to exercise their strength, and by a recoil struck him in the head, and made such a fracture in his skull, that the operation of the trepan, and the cure, was counted one of the greatest performances of surgery at that time. The difference between his father and him went on to a total breach; so that his father was set upon the disinheriting him of all that was still left in his power. Upon the Restoration the marquis of Argyle went up to the Highlands for some time, till he advised with his friends what to do, who were divided in opinion. He wrote by his son to the king, asking leave to come and wait on him. The king gave an answer that seemed to encourage it, but did not bind him to any thing. I have forgotten the words: there was an equivocating in them that did not become a prince: but his son told me, he wrote them very particularly to his father, without any advice of his own. Upon that the marquis of Argyle came up so secretly, that he was within Whitehall before his enemies knew any thing of his journey. He sent his son to the king to beg admittance. But instead of that he was sent to the Tower. And orders were sent down for clapping up three of the chief remonstrators. Of these Warristoun was one: but he had notice sent him before the messenger came: so he made his escape, and went beyond sea, first to Hamburgh. He had been long courted by Cromwell, and had stood at a distance from him for seven years: but in the last year of his government he had gone into his counsels, and was summoned as one of his peers to the other house, as it was called. He was after that put into the council of state after Richard was put out: and then he sat in another court put up by Lambert and the army, called the committee of safety. So there was a great deal against him. Swinton, one of Cromwell's lords, was also sent a prisoner to Scotland. And thus it was resolved to make a few examples in the parliament that was to be called, as soon as the king could be got to prepare matters for it. It was resolved on, to restore the king's authority to the same state it was in before the wars, and to raise such a force as might be necessary to secure the quiet of that kingdom for the future.

It was a harder point, what to do with the citadels that were built by Cromwell, and with the English garrisons that were kept in them. Many said, it was necessary to keep that kingdom in that subdued state; at least till all things were settled, and that there was no more danger from thence. The earl of Clarendon was of this mind. But the earl of Lauder-

dale laid before the king, that the conquest Cromwell had made of Scotland was for their adhering to him: he might then judge what they would think, who had suffered so much and so long on his account, if the same thraldom should be now kept up by his means: it would create an universal disgust. He told the king, that the time might come, in which he would wish rather to have Scotch garrisons in England: it would become a national quarrel, and lose the affections of the country to such a degree, that perhaps they would join with the garrisons, if any disjointing happened in England, against him: whereas, without any such badge of slavery, Scotland might be so managed, that they might be made entirely his. The earl of Middleton and his party durst not appear for so unpopular a thing. So it was agreed on, that the citadels should be evacuated, and slighted, as soon as the money could be raised in England for paying and disbanding the army. Of all this the earl of Lauderdale was believed the chief adviser. So he became very popular in Scotland.

The next thing that fell under consideration was the church, and whether bishops were to be restored or not. The earl of Lauderdale at his first coming to the king stuck firm to presbytery. He told me, the king spoke to him to let that go, for it was not a religion for gentlemen. He being really a presbyterian, but at the same time resolving to get into the king's confidence, studied to convince the king by a very subtil method to keep up presbytery still in Scotland. He told him, that both king James and his father had ruined their affairs by engaging in the design of setting up episcopacy in that kingdom: and by that means Scotland became discontented, and was of no use to them: whereas the king ought to govern them according to the grain of their own inclinations, and to make them sure to him: he ought, instead of endeavouring an uniformity in both kingdoms, to keep up the opposition between them, and rather to increase than to allay that hatred that was between them: and then the Scots would be ready, and might be easily brought, to serve him upon any occasion of dispute he might afterwards have with the parliament of England: all things were then smooth: but that was the honey moon, and it could not last long. Nothing would keep England more in awe, than if they saw Scotland firm in their duty and affection to him; whereas nothing gave them so much heart, as when they knew Scotland was disjointed: it was a vain attempt to think of doing any thing in England by means of the Irish, who were a despicable people, and had a sea to pass. But Scotland could be brought to engage for the king in a more silent manner, and could serve him more effectually: he therefore laid it down for a maxim, from which the king ought never to depart, that Scotland was to be kept quiet and in good humour, that the opposition of the two kingdoms was to be kept up and heightened: and then the king might reckon on every man capable of bearing arms in Scotland, as a listed soldier, who would willingly change a bad country for a better. This was the plan he laid before the king. I cannot tell whether this was to cover his zeal for presbytery, or on design to encourage the king to set up arbitrary government in England.

To fortify these advices he wrote a long letter in white ink to a daughter of the earl of Cassilis, lady Margaret Kennedy, who was in great credit with the party, and was looked on as a very wise and good woman, and was out of measure zealous for them. I married her afterwards, and after her death found this letter among her papers: in which he expressed great zeal for the cause: he saw the king was indifferent in the matter; but he was easy to those who pressed for a change: which, he said, nothing could so effectually hinder, as the sending up many men of good sense, but without any noise, who might inform the king of the aversion the nation had to that government, and assure him that, if in that point he would be easy to them, he might depend upon them as to every thing else; and particularly, if he stood in need of their service in his other dominions: but he charged her to trust very few of the ministers with this, and to take care that Sharp might know nothing of it: for he was then jealous of him. This had all the effect that the earl of Lauderdale intended by it. The king was no more jealous of his favouring presbytery; but looked on him as a fit instrument to manage Scotland, and to serve him in the most desperate designs: and on all this all his credit with the king was founded. In the mean time Sharp, seeing the king cold in the matter of episcopacy, thought it was necessary to lay the presbyterians asleep, to make them apprehend no danger to their government, and to engage the public resolutioners to proceed against all the protesters; that so those who were like to be the most inflexible in the point of episcopacy

might be censured by their own party, and by that means the others might become so odious to the more violent presbyterians, that thereby they might be the more easily disposed to submit to episcopacy, or at least might have less credit to act against it. So he, being pressed by those who employed him to procure somewhat from the king that might look like a confirmation of their government, and put to silence all discourses of an intended change, obtained by the earl of Lauderdale's means, that a letter should be written by the king to the presbytery of Edinburgh, to be communicated by them to all the other presbyteries in Scotland, in which he confirmed the general assemblies that sat at St. Andrew's and Dundee while he was in Scotland, and that had confirmed the public resolutions; in which he ordered them to proceed to censure all those who had then protested against them, and would not now submit to them. The king did also confirm their presbyterian government, as it was by law established. This was signed, and sent down without communicating it to the earl of Middleton or his party. But as soon as he heard of it, he thought Sharp had betrayed the design; and sent for him, and charged him with it. Sharp said, in his own excuse, that somewhat must be done for quieting the presbyterians, who were beginning to take the alarm: that might have produced such applications, as would perhaps make some impression on the king: whereas now all was secured, and yet the king was engaged to nothing: for his confirming their government, as it was established by law, could bind him no longer than while that legal establishment was in force: so the reversing of that would release the king. This allayed the earl of Middleton's displeasure a little. Yet Primrose told me, he spoke often of it with great indignation, since it seemed below the dignity of a king thus to equivocate with his people, and to deceive them. It seemed, that Sharp thought it not enough to cheat the party himself, but would have the king share with him in the fraud. This was no honourable step to be made by a king, and to be contrived by a clergyman. The letter was received with transports of joy: the presbyterians reckoned they were safe, and began to proceed severely against the protestors; to which they were set on by some aspiring men, who hoped to merit by the heat expressed on this occasion. And if Sharp's impatience to get into the archbishopric of St. Andrews had not wrought too strong on him, it would have given a great advantage to the restitution of episcopacy, if a general assembly had been called, and the two parties had been let loose on one another: that would have shewn the impossibility of maintaining the government of the church in a parity, and the necessity of setting a superior order over them for keeping them in unity and peace *.

The king settled the ministry in Scotland. The earl of Middleton was declared the king's commissioner for holding the parliament, and general of the forces that were to be raised; the earl of Glencairn was made chancellor; the earl of Lauderdale was secretary of state; the earl of Rothes president of the council; the earl of Crawford was continued in the treasury; Primrose was clerk register, which is very like the place of master of the rolls in England. The rest depended on these: but the earls of Middleton and Lauderdale were the two heads of the parties. The earl of Midletoun had a private instruction, which, as Lauderdale told me, was not communicated to him, to try the inclinations of the nation for episcopacy, and to consider of the best method of setting it up. This was drawn from the king by the earl of Clarendon: for he himself was observed to be very cold in it, while these things were doing. Primrose got an order from the king to put up all the public registers of Scotland, which Cromwell had brought up, and lodged in the Tower of London, as a pawn upon that kingdom, in imitation of what king Edward the first was said to have done when he subdued that nation. They were now put up in fifty hogsheads, and a ship was ready to carry them down. But it was suggested to lord Clarendon, that the original covenant, signed by the king, and some other declarations under his hand, were among them. And

* The arguments employed by Lauderdale and Middleton relative to the spirit that ought to actuate the government of Scotland, are well narrated in the Continuation of Clarendon's Life. Middleton, Glencairn, Rothes, and all the other commissioners, except Lauderdale, were for the immediate establishment of episcopacy. Lauderdale had to prevent, by urging delay, rather than by open opposition; and although he made great impression upon the king, yet finally all was left to the discretion of the earl of Middleton.—Continuation, ii. 54. 57. Those who wish for other information relative to the affairs of Scotland at this period, may refer with advantage to Woodrow's History of the Church of Scotland; Guthrie's Memoirs; and Bishop Burnet's Memoirs of the Dukes of Hamilton, and Clarendon's History of the Rebellion. The reader must be on his guard in reading this last-named work; the writer being extremely prejudiced against those who did not entirely approve of the sentiments and conduct of the Royalists.

he, apprehending that at some time or other an ill use might have been made of these, would not suffer them to be shipped till they were visited; nor would he take Primrose's promise of searching for these carefully, and sending them up to him; so he ordered a search to be made. None of the papers he looked for were found; but so much time was lost, that the summer was spent, so they were sent down in winter; and by some easterly gusts the ship was cast away near Berwick. So we lost all our records; and we have nothing now but some fragments in private hands to rely on, having made at that time so great a shipwreck of all our authentic writings. This heightened the displeasure the nation had at the designs then on foot.

The main thing, upon which all other matters depended, was the method in which the affairs of Scotland were to be conducted. The earl of Clarendon moved, that there might be a council settled to sit regularly at Whitehall on Scotch affairs, to which every one of the Scotch privy council that happened to be on the place should be admitted; but with this addition, that, as two Scotch lords were called to the English council, so six of the English were to be of the Scotch council. The effect of this would have been, that whereas the Scotch counsellors had no great force in English affairs, the English, as they were men of great credit with the king, and were always on the place, would have the government of the affairs of Scotland wholly in their hands. This probably would have saved that nation from much injustice and violence, when there was a certain method of laying their grievances before the king; complaints would have been heard, and matters well examined: Englishmen would not, and durst not, have given way to crying oppression, and illegal proceedings; for though these matters did not fall under the cognisance of an English parliament, yet it would have very much blasted a man's credit, who should have concurred in such methods of government as were put in practice afterwards in that kingdom: therefore all people quickly saw how wise a project this was, and how happy it would have proved, if affairs had still gone in that channel. But the earl of Lauderdale opposed this with all his strength. He told the king, it would quite destroy the scheme he had laid before him, which must be managed secretly, and by men that were not in fear of the parliament of England, nor obnoxious to it. He said to all Scotchmen, this would make Scotland a province to England, and subject it to English counsellors, who knew neither the laws nor the interests of Scotland, and yet would determine every thing relating to it; and all the wealth of Scotland would be employed to bribe them, who, having no concern of their own in the affairs of that kingdom, must be supposed capable of being swayed by private considerations. To the presbyterians he said, this would infallibly bring in, not only episcopacy, but every thing else from the English pattern. Men who had neither kindred nor estates in Scotland would be biassed chiefly by that which was most in vogue in England, without any regard to the inclinations of the Scots. These things made great impressions on the Scotch nation. The king himself did not much like it; but the earl of Clarendon told him, Scotland, by a secret and ill management, had begun the embroilment in his father's affairs, which could never have happened, if the affairs of that kingdom had been under a more equal inspection; if Scotland should again fall into new disorders, he must have the help of England to quiet them; and that could not be expected, if the English had no share in the conduct of matters there. The king yielded to it; and this method was followed for two or three years, but was afterwards broken by the earl of Lauderdale, when he got into the chief management. He began early to observe some uneasiness in the king at the earl of Clarendon's positive way. He saw the mistress hated him, and he believed she would in time be too hard for him; therefore he made great applications to her. But his conversation was too coarse, and he had not money enough to support himself by presents to her; so he could not be admitted into that cabal which was held in her lodgings. He saw, that in a council, where men of weight, who had much at stake in England, bore the chief sway, he durst not have proposed those things, by which he intended to establish his own interest with the king, and to govern that kingdom which way his pride, or passion, might guide him. Among others, he took great pains to persuade me of the great service he had done his country by breaking that method of governing it; though we had many occasions afterwards to see how fatal that proved, and how wicked his design in it was.

I have thus opened with some copiousness the beginnings of this reign, since, as they are

little known, and I had them from the chief of both sides, so they may guide the reader to observe the progress of things better in the sequel than he could otherwise do. In August, the earl of Glencairn was sent down to Scotland, and had orders to call together the committee of estates. This was a practice begun in the late times: when the parliament made a recess, they appointed some of every state to sit, and to act as a council of state in their name till the next session, for which they were to prepare matters, and to which they gave an account of their proceedings. When the parliament of Stirling was adjourned, the king being present, a committee had been named; so, such of these as were yet alive were summoned to meet, and to see to the quiet of the nation, till the parliament should be brought together, which did not meet before January. On the day in which the committee met, ten or twelve of the protesting ministers met likewise at Edinburgh, and had before them a warm paper prepared by one Guthrey, one of the most violent ministers of the whole party. In it, after some cold compliment to the king upon his restoration, they put him in mind of the covenant which he had so solemnly sworn while among them: they lamented that, instead of pursuing the ends of it in England, as he had sworn to do, he had set up the common prayer in his chapel, and the order of bishops: upon which they made terrible denunciations of heavy judgments from God on him, if he did not stand to the covenant, which they called the oath of God. The earl of Glencairn had notice of this meeting, and he sent and seized on them, together with this remonstrance. The paper was voted scandalous and seditious; and the ministers were all clapt up in prison, and were threatened with great severities. Guthrey was kept still in prison, who had brought the others together; but the rest, after a while's imprisonment, were let go. Guthrey, being minister of Stirling while the king was there, had let fly at him in his sermons in a most indecent manner, which at last became so intolerable, that he was cited to appear before the king to answer for some passages in his sermons: he would not appear, but declined the king and his council, who, he said, were not proper judges of matters of doctrine, for which he was only accountable to the judicatories of the kirk. He also protested for remedy of law against the king, for thus disturbing him in the exercise of his ministry. This personal affront had irritated the king more against him than against any other of the party; and it was resolved to strike a terror into them all, by making an example of him. He was a man of courage, and went through all his trouble with great firmness: but this way of proceeding struck the whole party with such a consternation, that it had all the effect which was designed by it: for whereas the pulpits had, to the great scandal of religion, been places where the preachers had for many years vented their spleen and arraigned all proceedings, they became now more decent, and there was a general silence every where with relation to the affairs of state; only they could not hold from many sly and secret insinuations, as if the ark of God was shaking, and the glory departing. A great many offenders were summoned, at the king's suit, before the committee of estates, and required to give bail, that they should appear at the opening of the parliament, and answer to what should be then objected to them. Many saw the design of this was to fright them into a composition, and also into a concurrence with the measures that were to be taken. For the greater part they complied, and redeemed themselves from farther vexation by such presents as they were able to make. And in these transactions Primrose and Fletcher were the great dealers.

In the end of the year the earl of Middleton came down with great magnificence: his way of living was the most splendid the nation had ever seen, but it was likewise the most scandalous; for vices of all sorts were the open practices of those about him. Drinking was the most notorious of all, which was often continued through the whole night to the next morning: and many disorders happening after those irregular heats, the people, who had never before that time seen any thing like it, came to look with an ill eye on every thing that was done by such a set of lewd and vicious men. This laid in all men's minds a new prejudice against episcopacy; for they, who could not examine into the nature of things, were apt to take an ill opinion of every change in religion that was brought about by such bad instruments. There had been a face of gravity and piety in the former administration, which made the libertinage of the present time more odious.

The earl of Middleton opened the parliament on the first of January with a speech setting

forth the blessing of the Restoration: he magnified the king's person, and enlarged on the affection that he bore to that his ancient kingdom: he hoped they would make suitable returns of zeal for the king's service, that they would condemn all the invasions that had been made on the regal authority, and assert the just prerogative of the crown, and give supplies for keeping up such a force as was necessary to secure the public peace, and to preserve them from the return of such calamities as they had so long felt. The parliament wrote an answer to the king's letter full of duty and thanks. The first thing proposed was to name lords of the articles. In order to the apprehending the importance of this, I will give some account of the constitution of that kingdom.

The parliament was anciently the king's court, where all who held land of him were bound to appear. All sat in one house, but were considered as three estates. The first was the church, represented by the bishops, and mitred abbots, and priors; the second was the baronage, the nobility and gentry who held their baronies of the king; and the third was the boroughs, who held of the king by barony, though in a community. So that the parliament was truly the baronage of the kingdom. The lesser barons grew weary of this attendance; so in king James the First's time (during the reign of Henry the Fourth, of England) they were excused from it, and were empowered to send proxies, to an indefinite number, to represent them in parliament; yet they neglected to do this: and it continued so till king James the Sixth's time, in which the mitred abbots being taken away, and few of the titular bishops that were then continued appearing at them, the church lands being generally in lay hands, the nobility carried matters in parliament as they pleased; and as they oppressed the boroughs, so they had the king much under them. Upon this the lower barons got themselves to be restored to the right which they had neglected near two hundred years. They were allowed by act of parliament to send two from a county; only some smaller counties sent but one. This brought that constitution to a truer balance. The lower barons have a right to choose at their county courts after Michaelmas their commissioners, to serve in any parliament that may be called within that year; and they who choose them sign a commission to him who represents them; so the sheriff has no share of the return. And in the case of controverted elections, the parliament examines the commissions, to see who has the greatest number, and judges whether every one that signs it had a right to do so. The boroughs only choose their members when the summons goes out; and all are chosen by the men of the corporation, or, as they call them, the town council. All these estates sit in one house, and vote together. Anciently the parliament sat only two days, the first and the last. On the first they chose those who were to sit on the articles, eight for every state, to whom the king joined eight officers of state. These received all the heads of grievances or articles that were brought to them, and formed them into bills as they pleased: and on the last day of the parliament, these were all read, and were approved or rejected by the whole body. So they were a committee that had a very extraordinary authority, since nothing could be brought before the parliament but as they pleased. This was pretended to be done only for the shortening and dispatching of sessions. The crown was not contented with this limitation, but got it to be carried farther. The nobility came to choose eight bishops, and the bishops to choose eight noblemen; and these sixteen chose the eight barons, so the representatives for the shires are called, and the eight burgesses. By this means our kings did upon the matter choose all the lords of the articles, so entirely had they got the liberties of that parliament into their hands.

During the late troubles they had still kept up a distinction of three estates, the lesser barons making one, and then every estate might meet apart, and name their own committee; but still all things were brought in, and debated in full parliament. So now the first thing proposed was, the returning to the old custom of naming lords of the articles. The earl of Tweedale opposed it, but was seconded only by one person; so it passed with that small opposition: only, to make it go easier, it was promised, that there should be frequent sessions of parliament, and that the acts should not be brought in in a hurry, and carried with the haste that had been practised in former times.

The parliament granted the king an additional revenue for life of 40,000*l.* a-year, to be raised by an excise on beer and ale, for maintaining a small force; upon which two troops

and a regiment of foot guards were to be raised. They ordered the marquis of Montrose's quarters to be brought together, and they were buried with great state. They fell next upon the acts of the former times that had limited the prerogative; they repealed them, and asserted it with a full extent in a most extraordinary manner. Primrose had the drawing of these acts. He often confessed to me, that he thought he was as one bewitched while he drew them; for, not considering the ill use might be made of them afterwards, he drew them with preambles full of extravagant rhetoric, reflecting severely on the proceedings of the late times, and swelled them up with the highest phrases and fullest clauses that he could invent. In the act which asserted the king's power of the militia, the power of arming and levying the subjects was carried so far, that it would have ruined the kingdom, if Gilmore, an eminent lawyer, and a man of great integrity, who had now the more credit, for he had always favoured the king's side, had not observed that, as the act was worded, the king might require all the subjects to serve at their own charge, and might oblige them, in order to the redeeming themselves from serving, to pay whatever might be set on them. So he made such an opposition to this, that it could not pass till a proviso was added to it, that the kingdom should not be obliged to maintain any force levied by the king, otherwise than as it should be agreed to in parliament, or in a convention of estates. This was the only thing that was then looked to, for all the other acts passed in the articles as Primrose had penned them. They were brought into parliament, and upon one hasty reading them, they were put to the vote, and were always carried.

One act troubled the presbyterians extremely. In the act asserting the king's power in treaties of peace and war, all leagues with any other nation, not made by the king's authority, were declared treasonable; and in consequence of this, the league and covenant made with England in the year 1643, was condemned, and declared of no force for the future. This was the idol of all the presbyterians; so they were much alarmed at it: but Sharp restrained all those with whom he had credit. He told them, the only way to preserve their government was, to let all that related to the king's authority be separated from it, and be condemned, that so they might be no more accused as enemies to monarchy, or as leavened with the principles of rebellion. He told them, they must be contented to let that pass, that the jealousy which the king had of them, as enemies to his prerogative, might be extinguished in the most effectual manner. This restrained many; but some hotter zealots could not be governed. One Macquair, a hot man and considerably learned, did in his church at Glasgow openly protest against this act, as contrary to the oath of God, and so void of itself. To protest against an act of parliament was treason by their law; and Middleton was resolved to make an example of him for the terrifying others. But Macquair was as stiff as he was severe, and would come to no submission; yet he was only condemned to perpetual banishment. Upon which he, and some others who were afterwards banished, went and settled at Rotterdam, where they formed themselves into a presbytery, and wrote many seditious books, and kept a correspondence over all Scotland, that being the chief seat of the Scotch trade; and by that means they did much more mischief to the government than they could have done had they continued still in Scotland.

The lords of the articles grew weary of preparing so many acts as the practices of the former times gave occasion for; but did not know how to meddle with those acts that the late king had passed in the year 41, or the present king had passed while he was in Scotland. They saw that, if they should proceed to repeal those by which presbyterian government was ratified, that would raise much opposition, and bring petitions from all that were for that government over the whole kingdom, which Middleton and Sharp endeavoured to prevent, that the king might be confirmed in what they had affirmed, that the general bent of the nation was now turned against presbytery and for bishops. So Primrose proposed, but half in jest, as he assured me, that the better and shorter way would be to pass a general act rescissory, as it was called, annulling all the parliaments that had been held since the year 1633, during the whole time of the war, as faulty and defective in their constitution. But it was not so easy to know upon what point that defect was to be fixed. The only colourable pretence in law was, that, since the ecclesiastical state was not represented in those parliaments, they were not a full representative of the kingdom, and so not true parliaments. But

this could not be alleged by this present parliament, which had no bishops in it: if that inferred a nullity, this was no parliament; therefore they could only fix the nullity upon the pretence of force and violence. Yet it was a great strain to insist on that, since it was visible that neither the late king nor the present were under any force when they passed them: they came of their own accord, and passed those acts. If it was insisted on that the ill state of their affairs was in the nature of a force, the ill consequences of this were visible, since no prince by this means could be bound to any treaty, or be concluded by any law that limited his power, these being always drawn from them by the necessity of their affairs, which can never be called a force, as long as their persons are free. So, upon some debate about it on those grounds, at a private junta, the proposition, though well liked, was let fall, as not capable to have good colours put upon it: nor had the earl of Middleton any instruction to warrant his passing any such act. Yet within a day or two, when they had drunk higher, they resolved to venture on it. Primrose was then ill. So one was sent to him to desire him to prepare a bill to that effect. He set about it, but perceived it was so ill grounded, and so wild in all the frame of it, that he thought, when it came to be better considered, it must certainly be laid aside. But it fell out otherwise: his draught was copied out next morning, without altering a word in it, and carried to the articles, and from thence to the parliament, where it met indeed with great opposition. The earl of Crawford and the duke of Hamilton argued much against it. The parliament in the year 41 was legally summoned: the late king came thither in person with his ordinary attendance, and without the appearance of any force; if any acts then passed needed to be reviewed, that might be well done; but to annul a parliament was a terrible precedent, which destroyed the whole security of government: another parliament might annul the present parliament, as well as that which was now proposed to be done. So no stop could be made, nor any security laid down for fixing things for the future. The parliament in the year 48 proceeded upon instructions under the king's own hand, which was all that could be had considering his imprisonment: they had declared for the king, and raised an army for his preservation. To this the earl of Middleton, who contrary to custom managed the debate himself, answered, that though there was no visible force on the late king in the year 41, yet they all knew he was under a real force by reason of the rebellion that had been in this kingdom, and the apparent danger of one ready to break out in England, which forced him to settle Scotland on such terms as he could bring them to; so that distress in his affairs was really equivalent to a force on his person: yet he confessed it was just, that such an appearance of a parliament should be a full authority to all who acted under it: and care was taken to secure these by a proviso that was put in the act to indemnify them. He acknowledged the design of the parliament in the year 48 was good: yet they declared for the king in such terms, and had acted so hypocritically, in order to the gaining of the kirk party, that it was just to condemn the proceedings, though the intentions of many were honourable and loyal. For we went into it, he said, as knaves, and therefore no wonder if we miscarried in it as fools. This was very ill taken by all who had been concerned in it. The bill was put to the vote, and carried by a great majority; and the earl of Middleton immediately passed it without staying for an instruction from the king. The excuse he made for it was, that, since the king by his letter to the presbyterians confirmed their government as it was established by law, there was no way left to get out of that, but the annulling of all those laws.

This was a most extravagant act, and only fit to be concluded after a drunken bout. It shook all possible security for the future, and laid down a most pernicious precedent. The earl of Lauderdale aggravated this heavily to the king. It shewed, that the earl of Middleton understood not the first principles of government, since he had, without any warrant for it, given the king's assent to a law that must for ever take away all the security that law can give: no government was so well established, as not to be liable to a revolution; this would cut off all hopes of peace and submission, if any disorder should happen at any time thereafter. And since the earl of Clarendon had set it up for a maxim never to be violated, that acts of indemnity were sacred things, he studied to possess him against the earl of Middleton, who had now annulled the very parliaments, in which two kings had passed acts of indemnity. This raised a great clamour. And upon that the earl of Middleton com-

plained in parliament, that their best services were represented to the king as blemishes on his honour, and as a prejudice to his affairs: so he desired they would send up some of the most eminent of their body to give the king a true account of their proceedings. The earls of Glencairn and Rothes were sent, for the earl of Rothes gave secret engagements to both sides, resolving to strike into that to which he saw the king most inclined. The earl of Middleton's design was to accuse the earl of Lauderdale of misrepresenting the proceedings of parliament, and of belying the king's good subjects, called in the Scotch law leasing making, which either to the king of the people or to the people of the king is capital.

Sharp went up with these lords to press the speedy setting up of episcopacy, now that the greatest enemies of that government were under a general consternation, and were upon other accounts so obnoxious that they durst not make any opposition to it, since no act of indemnity was yet passed. He had expressed a great concern to his old brethren when the act rescissory passed, and acted that part very solemnly for some days; yet he seemed to take heart again, and persuaded the ministers of that party, that it would be a service to them, since now the case of ratifying their government was separated from the rebellion of the late times: so that hereafter it was to subsist by a law passed in a parliament that sat and acted in full freedom. So he undertook to go again to court, and to move for an instruction to settle presbytery on a new and undisputed bottom. The poor men were so struck with the ill state of their affairs, that they either trusted him, or at least seemed to do it; for indeed they had neither sense nor courage left them. During the session of parliament, the most aspiring men of the clergy were picked out to preach before the parliament. They did not speak out, but they all insinuated the necessity of a greater authority than was then in the church, for keeping them in order. One or two spoke plainer; upon which the presbytery of Edinburgh went to the earl of Middleton, and complained of that, as an affront to the law and to the king's letter. He dismissed them with good words, but took no notice of their complaint. The synods in several places resolved to prepare addresses both to king and parliament, for an act establishing their government: and Sharp dissembled so artificially, that he met with those who were preparing an address to be presented to the synod of Fife, that was to sit within a week after; and heads were agreed on. Honeyman, afterwards bishop of Orkney, drew it up with so much vehemence, that Wood, their divinity professor, told me, he and some others sat up almost the whole night before the synod met, to draw it over again in a smoother strain; but Sharp gave the earl of Middleton notice of this; so the earl of Rothes was sent over to see to their behaviour. As soon as the ministers entered upon that subject, he in the king's name dissolved the synod, and commanded the ministers under pain of treason to retire to their several habitations. Such care was taken that no public application should be made in favour of presbytery. Any attempt that was made on the other hand met with great encouragement. The synod of Aberdeen was the only body that made an address looking towards episcopacy. In a long preamble they reflected on the confusions and violence of the late times, of which they enumerated many particulars: and they concluded with a prayer, that since the legal authority upon which their courts proceeded was now annulled, that therefore the king and parliament would settle their government, conform to the scriptures and the rules of the primitive church. The presbyterians saw what was driven at, and how their words would be understood: but I heard one of them say (for I was present at that meeting), that no man could decently oppose those words, since by that he would insinuate that he thought presbytery was not conform to these.

In this session of parliament another act passed, which was a new affliction to all the party: the twenty-ninth of May was appointed to be kept as a holy day, since on that day an end had been put to three and twenty years' course of rebellion, of which the whole progress was reckoned up in the highest strain of Primrose's eloquence. The ministers saw, that by observing this act passed with such a preamble, they condemned all their former proceedings, as rebellious and hypocritical. They saw, that by obeying it they would lose all their credit, and contradict all they had been building up in a course of so many years: yet such was the heat of that time, that they durst not except to it on that account. So they laid hold on the subtilty of a holy day, and covered themselves under that controversy, denying it was in the power of any human authority to make a day holy. But withal they fell upon a poor

shift: they enacted in their several presbyteries that they should observe that day as a thanksgiving for the king's restoration: so they took no notice of the act of parliament, but observed it in obedience to their own act. But this, though it covered them from prosecution, since the law was obeyed, yet it laid them open to much contempt. When the earls of Glencairn and Rothes came to court, the king was soon satisfied with the account they gave of the proceedings of parliament: and the earl of Lauderdale would not own that he had ever misrepresented them. They were ordered to proceed in their charging of him, as the earl of Clarendon should direct them. But he told them the assaulting of a minister, as long as he had an interest in the king, was a practice that never could be approved: it was one of the uneasy things that a House of Commons of England sometimes ventured on, which was ungrateful to the court: such an attempt, instead of shaking the earl of Lauderdale, would give him a faster root with the king. They must therefore content themselves with letting the king see how well his service went on in their hands, and how unjustly they had been misrepresented to him: and thus by degrees they would gain their point, and the earl of Lauderdale would become useless to the king. So this design was let fall. But the earl of Rothes assured Lauderdale he had diverted the storm: though Primrose told me this was the true ground on which they proceeded. They became all friends as to outward appearance.

Thus I have gone through the actings of the first session of this parliament with relation to public affairs. It was a mad roaring time, full of extravagance; and no wonder it was so, when the men of affairs were almost perpetually drunk. I shall in the next place give an account of the attainders passed in it.

The first and chief of these was of the marquis of Argyle. He was indicted at the king's suit for a great many facts, that were reduced to three heads. The first was of his public actings during the wars, of which many instances were given, such as his being concerned in the delivering up of the king to the English at Newcastle, his opposing the engagement in the year 1648, and his heading the rising in the west in opposition to the committee of estates: in this, and many other steps made during the war, he was esteemed the principal actor, and so ought to be made the greatest example for terrifying others. The second head consisted of many murders, and other barbarities, committed by his officers during the war, on many of the king's party, chiefly on those who had served under the marquis of Montrose, many of them being murdered in cold blood. The third head consisted of some articles of his concurrence with Cromwell and the usurpers, in opposition to those who appeared for the king in the Highlands, his being one of his parliament, and assisting in proclaiming him protector, with a great many other particulars, into which his compliance was branched out. He had counsel assigned him, who performed their part very well.

The substance of his defence was, that during the late wars he was but one among a great many more: he had always acted by authority of parliament, and according to the instructions that were given him, as oft as he was sent on any expedition or negotiation. As to all things done before the year 1641, the late king had buried them in an act of oblivion then passed, as the present king had also done in the year 1651: so he did not think he was bound to answer to any particular before that time. For the second head, he was at London when most of the barbarities set out in it were committed: nor did it appear that he gave any orders about them. It was well known that great outrages had been committed by the Macdonalds: and he believed his people, when they had the better of them, had taken cruel revenges: this was to be imputed to the heat of the time, and to the tempers of the people, who had been much provoked by the burning of his whole country, and by much blood that was shed. And as to many stories laid to the charge of his men, he knew some of them were mere forgeries, and others were aggravated much beyond the truth: but, what truth soever might be in them, he could not be answerable, but for what was done by himself, or by his orders. As to the third head, of his compliance with the usurpation, he had stood out till the nation was quite conquered: and in that case it was the received opinion both of divines and lawyers, that men might lawfully submit to an usurpation, when forced to it by an inevitable necessity. It was the epidemical sin of the nation. His circumstances were such, that more than a bare compliance was required of him. What he did that way was only to

preserve himself and his family, and was not done on design to oppose the king's interest. Nor did his service suffer by any thing he did. This was the substance of his defence in a long speech, which he made with so good a grace and so skilfully, that his character was as much raised as his family suffered by the prosecution. In one speech, excusing his compliance with Cromwell, he said, what could he think of that matter, after a man so eminent in the law as his majesty's advocate had taken the engagement? This inflamed the other so much, that he called him an impudent villain, and was not so much as chid for that barbarous treatment. Lord Argyle gravely said, he had learned in his affliction to bear reproaches; but if the parliament saw no cause to condemn him, he was less concerned at the king's advocate's railing. The king's advocate put in an additional article, of charging him with accession to the king's death, for which all the proof he offered lay in a presumption. Cromwell had come down to Scotland with his army in September 1648, and at that time he had many and long conferences with Argyle; and immediately upon his return to London, the treaty with the king was broken off, and the king was brought to his trial: the advocate from thence inferred, that it was to be presumed that Cromwell and Argyle had concerted that matter between them. While this process was carried on, which was the most solemn that ever was in Scotland, the lord Lorn continued at court soliciting for his father; and obtained a letter to be written by the king to the earl of Middleton, requiring him to order his advocate not to insist on any public proceedings before the indemnity he himself had passed in the year 1651. He also required him, when the trial was ended, to send up the whole process, and lay it before the king, before the parliament should give sentence. The earl of Middleton submitted to the first part of this: so all farther inquiry into those matters was superseded. But as to the second part of the letter, it looked so like a distrust of the justice of the parliament, that he said, he durst not let it be known, till he had a second and more positive order, which he earnestly desired might not be sent; for it would very much discourage this loyal and affectionate parliament: and he begged earnestly to have this order recalled; which was done. For some time there was a stop to the proceedings, in which lord Argyle was contriving an escape out of the castle. He kept his bed for some days: and his lady being of the same stature with himself, and coming to him in a chair, he had put on her clothes, and was going into the chair: but he apprehended he should be discovered, and his execution hastened; and so his heart failed him. The earl of Middleton resolved, if possible, to have the king's death fastened on him. By this means, as he would die with the more infamy, so he reckoned this would put an end to the family, since no body durst move in favour of the son of one judged guilty of that crime. And he, as was believed, hoped to obtain a grant of his estate. Search was made into all the precedents of men who had been at any time condemned upon presumption. And the earl of Middleton resolved to argue the matter himself, hoping that the weight of his authority would bear down all opposition. He managed it indeed with more force than decency: he was too vehement, and maintained the argument with a strength that did more honour to his parts than to his justice or his character. But Gilmore, though newly made president of the session, which is the supreme court of justice in that kingdom, abhorred the precedent of attainting a man upon so remote a presumption; and looked upon it as less justifiable than the much-decried attainder of the earl of Strafford. So he undertook the argument against Middleton; they replied upon one another thirteen or fourteen times in a debate that lasted many hours. Gilmore had so clearly the better of the argument, that, though the parliament was so set against Argyle that every thing was like to pass that might blacken him, yet, when it was put to the vote, he was acquitted as to that by a great majority: at which he expressed so much joy, that he seemed little concerned at any thing that could happen to him after that. All that remained was to make his compliance with the usurpers appear to be treason. The debate was like to have lasted long. The earl of Loudon, who had been lord chancellor, and was counted the most eloquent man of that time, for he had a copiousness in speaking that was never exhausted (he was come of his family, and was his particular friend), had prepared a long and learned argument on that head. He had gathered the opinions both of divines and lawyers, and had laid together a great deal out of history, more particularly out of the Scotch history, to show that it had never been censured as a crime: but that on the contrary, in all their confusions, the men,

who had merited the most of the crown in all its shakings, were persons who had got credit by compliance with the side that prevailed, and by that means had brought things about again. But, while it was very doubtful how it would have gone, Monk by an inexcusable baseness had searched among his letters, and found some that were written by Argyle to himself, that were hearty and zealous on their side. These he sent down to Scotland. And after they were read in parliament, it could not be pretended that his compliance was feigned, or extorted from him. Every body blamed Monk for sending these down, since it was a betraying the confidence that they then lived in. They were sent by an express, and came to the earl of Middleton after the parliament was engaged in the debate. So he ordered the letters to be read. This was much blamed, as contrary to the forms of justice, since probation was closed on both sides. But the reading of them silenced all farther debate. All his friends went out: and he was condemned as guilty of treason. The marquis of Montrose only refused to vote. He owned, he had too much resentment to judge in that matter. It was designed he should be hanged, as the marquis of Montrose had been: but it was carried that he should be beheaded, and that his head should be set up where lord Montrose's had been set. He received his sentence decently, and composed himself to suffer.

* The day before his death he wrote to the king, justifying his intentions in all he had acted in the matter of the covenant: he protested his innocence as to the death of the late king: he submitted patiently to his sentence, and wished the king a long and happy reign: he cast his family and children upon his mercy; and prayed that they might not suffer for their father's fault. On the twenty-seventh of May, the day appointed for his execution, he came to the scaffold in a very solemn but undaunted manner, accompanied with many of the nobility, and some ministers. He spoke for half an hour with a great appearance of serenity. Cunningham, his physician, told me he touched his pulse, and that it did then beat at the usual rate, calm and strong. He did in a most solemn manner vindicate himself from all knowledge or accession to the king's death: he pardoned all his enemies; and submitted to the sentence, as to the will of God: he spoke highly in justification of the covenant, calling it the cause and work of God; and expressed his apprehension of sad times likely to follow; and exhorted all people to adhere to the covenant, and to resolve to suffer rather than sin against their consciences. He parted with all his friends very decently; and after some time spent in his private devotions he was beheaded †.

A few days after Guthry suffered. He was accused of accession to the remonstrance when the king was in Scotland, and for a book he had printed with the title "Of the Causes of God's Wrath upon the Nation;" in which the treating with the king, the tendering him the covenant, and the admitting him to the exercise of the government, were highly aggravated as great acts of apostacy. His declining the king's authority to judge of his sermons, and his protesting for remedy of law against him, and the late seditious paper that he was drawing others to concur in, were the matters objected to him. He was a resolute and stiff man: so

* The letter is dated the very day of his execution, "From your Prison, Edinburgh, May 16th, 1661."—Wodrow's Hist. of the Church of Scotland, i. p. 54.

† Archibald Campbell, marquis of Argyle, was aged sixty-three years when he was executed in 1661. No man was ever more formally murdered with the mockery of a judicial trial. His only crime was that he was an opponent of violent measures, and consequently incurred the hatred of the earl of Middleton. It is not possible within the limit of a note to trace the events of his life, demonstrating that he really thought, as he once wrote to the earl of Strafford, "that his duty to the king would be best shown by maintaining the constitution of his country in church and state."—Strafford's Letters, ii. 187—290. He was an acknowledged friend and benefactor both of Charles the Second and his father; and although in common with many others, whose allegiance was never impugned, he consented not to disturb the protectorate, yet a letter of general Monk's exists in which he tells secretary Thurloe he considers the marquis would not do Cromwell's "interest any good."—Thurloe's State Papers, vii. 584. It is certain that he never committed any acts inconsistent with his loyalty to his king and country; it is equally certain that, in despite of the directions of Charles, the earl of Middleton hurried his execution without first consulting that king. The details of the earl's accusation and defence are but imperfectly given in the "State Trials," ii. 413. A very impartial and authentic life of the marquis is given in the Biographia Britannica; where are stated some very satisfactory reasons to convince us that Burnet's statement relative to the letters of Monk, produced at the trial of the marquis, was from false information. If those letters contained the statements alleged, the marquis had no cause to complain of ill-treatment, for he was in that case a traitor. But those who have written in defence of Charles the Second's government of Scotland (among others sir George Mackenzie, who was Argyle's counsel) have passed over this transaction in silence; and no other authority but Burnet mentions the production of such documents.

when his lawyers offered him legal defences, he would not be advised by them, but resolved to take his own way. He confessed and justified all that he had done, as agreeing to the principles and practices of the kirk, who had asserted all along that the doctrine delivered in their sermons did not fall under the cognisance of the temporal courts, till it was first judged by the church; for which he brought much tedious proof. He said, his protesting for remedy of law against the king was not meant at the king's person, but was only with relation to costs and damages. The earl of Middleton had a personal animosity against him; for in the late times he had excommunicated him: so his eagerness in the prosecution did not look well. The defence he made signified nothing to justify himself, but laid a great load on presbytery, since he made it out beyond all dispute that he had acted upon their principles, which made them the more odious, as having among them some of the worst maxims of the church of Rome; that in particular, to make the pulpit a privileged place, in which a man might safely vent treason, and be secure in doing it, if the church judicatory should agree to acquit him. So upon this occasion great advantage was taken, to show how near the spirit that had reigned in presbytery came up to popery. It was resolved to make a public example of a preacher: so he was singled out. He gave no advantage to those who wished to have saved him by the least step towards any submission, but much to the contrary. Yet, though all people were disgusted at the earl of Middleton's eagerness in the prosecution, the earl of Tweedale was the only man that moved against the putting him to death. He said, banishment had been hitherto the severest censure that had been laid on the preachers for their opinions: he knew Guthry was a man apt to give personal provocation; and he wished that might not have too great a share in carrying the matter so far. Yet he was condemned to die. I saw him suffer. He was so far from showing any fear, that he rather expressed a contempt of death. He spoke an hour upon the ladder, with the composedness of a man that was delivering a sermon rather than his last words. He justified all he had done, and exhorted all people to adhere to the covenant, which he magnified highly. With him one Gouan was also hanged, who had deserted the army while the king was in Scotland, and had gone over to Cromwell. The man was inconsiderable, till they made him more considered by putting him to death, on such an account, at so great a distance of time.

The gross iniquity of the court appeared in nothing more eminently than in the favour showed Maccloud of Assin, who had betrayed the marquis of Montrose, and was brought over upon it. He in prison struck up to a high pitch of vice and impiety, and gave great entertainments: and that, notwithstanding the baseness of the man and of his crimes, begot him so many friends, that he was let go without any censure. The proceedings against Wariston were soon despatched, he being absent. It was proved that he had presented the remonstrance, that he had acted under Cromwell's authority, and had sat as a peer in his parliament, that he had confirmed him in his protectorship, and had likewise sat as one of the committee of safety: so he was attainted. Swintoun had been attainted in the parliament at Stirling for going over to Cromwell: so he was brought before the parliament to hear what he could say why the sentence should not be executed. He was then become a quaker; and did, with a sort of eloquence that moved the whole house, lay out all his own errors, and the ill spirit he was in when he committed the things that were charged on him, with so tender a sense, that he seemed as one indifferent what they should do with him: and without so much as moving for mercy, or even for a delay, he did so effectually prevail on them, that they recommended him to the king as a fit object of his mercy. This was the more easily consented to by the earl of Middleton, in hatred to the earl of Lauderdale, who had got the gift of his estate *. He had two great pleas in law: the one was, that the record of his attainder at Stirling, with all that had passed in that parliament, was lost: the other was, that by the

* The conduct and emulation in hatred of these two worthies will further appear in many future black passages. No stronger instances of the tyrant misrule that roused our forefathers to resistance can be quoted than the practice noticed in the text of granting the estates of prisoners charged with treason before they were convicted. The profligate Charles and his ministers continued the practice, though against it, early in the reign of James the first, honest Sir Edward Coke, and the rest of the English judges, had recorded their opinion; because, as they said, "in our experience it maketh the more violent and undue proceeding against the subject, to the scandal of justice, and the offence of many."—Coke's Reports, xii. 37. a. Such grants were not finally abolished until 1688, when they were made void by act of parliament, 1 Wm. and Mary, c. 2.

act rescissory that parliament being annulled, all that was done by it was void: but he urged neither, since there was matter enough to attaint him anew, if the defects of that supposed attainder had been observed. So till the act of indemnity was passed he was still in danger, having been the man of all Scotland that had been the most trusted and employed by Cromwell: but upon passing the act of indemnity he was safe.

The session of parliament was now brought to a conclusion, without any motion for an act of indemnity. The secret of this was, that since episcopacy was to be set up, and that those who were most like to oppose it were on other accounts obnoxious, it was thought best to keep them under that fear, till the change should be made. The earl of Middleton went up to court full of merit, and as full of pride. He had a mind to be lord treasurer; and told the king, that, if he intended to set up episcopacy, the earl of Crawford, who was a noted presbyterian, must be put out of that post: it was the opinion of the king's zeal for that form of government that must bear down all the opposition that might otherwise be made to it; and it would not be possible to persuade the nation of that, as long as they saw the white staff in such hands. Therefore, on the first day on which a Scotch council was called after he came up, he gave a long account of the proceedings of parliament, and magnified the zeal and loyalty that many had expressed, while others that had been not only pardoned, but were highly trusted by the king, had been often cold and backward, and sometimes plainly against the service. The earl of Lauderdale was ill that day: so the earl of Crawford undertook to answer this reflection, which he thought was meant of himself, for opposing the act rescissory. He said, he had observed such an entire unanimity in carrying on the king's service, that he did not know of any that had acted otherwise: and therefore he moved, that the earl of Middleton might speak plain, and name persons. The earl of Middleton desired to be excused: he did not intend to accuse any: but yet he thought he was bound to let the king know how he had been served. The earl of Crawford still pressed him to speak out after so general an accusation: no doubt, he would inform the king in private who these persons were: and since he had already gone so far in public, he thought he ought to go farther. The earl of Middleton was in some confusion; for he did not expect to be thus attacked: so to get off he named the opposition that the earl of Tweedale had made to the sentence passed on Guthry, not without making indecent reflections on it, as if his prosecution had flowed from the king's resentments of his behaviour to himself: and so he turned the matter, that the earl of Tweedale's reflection, which was thought indeed pointed against himself, should seem as meant against the king. The earl of Crawford upon this said, that the earl of Middleton ought to have excepted to the words when they were first spoken; and no doubt the parliament would have done the king justice: but it was never thought consistent with the liberty of speech in parliament, to bring men into question afterwards for words spoken in any debate, when they were not challenged as soon as they were spoken. The earl of Middleton excused himself: he said the thing was passed before he made due reflections on it; and so asked pardon for that omission. The earl of Crawford was glad he himself had escaped, and was silent as to the earl of Tweedale's concern; so, nobody offering to excuse him, an order was presently sent down for committing him to prison, and for examining him upon the words he had spoken, and on his meaning in them. That was not a time in which men durst pretend to privilege, or the freedom of debate: so he did not insist on it; but sent up such an account of his words, and such an explanation of them, as fully satisfied the king. So after the imprisonment of some weeks he was set at liberty. But this raised a great outcry against the earl of Middleton, as a thing that was contrary to the freedom of debate, and destructive of the liberty of parliament. It lay the more open to censure, because the earl of Middleton had accepted of a great entertainment from the earl of Tweedale after Guthry's business was over: and it seemed contrary to the rules of hospitality, to have such a design in his heart against a man in whose house he had been so treated: all the excuse he made for it was, that he never intended it; but that the earl of Crawford had pressed him so hard upon the complaint he had made in general, that he had no way of getting out of it without naming some particulars; and he had no other ready then at hand.

Another difference of greater moment fell in between him and the earl of Crawford. The earl of Middleton was now raising the guards, that were to be paid out of the excise granted

by the parliament. So he moved, that the excise might be raised by collectors named by himself as general, that so he might not depend on the treasury for the pay of the forces. The earl of Crawford opposed this with great advantage, since all revenues given the king did by the course of law come into the treasury. Scotland was not in a condition to maintain two treasurers: and, as to what was said, of the necessity of having the pay of the army well ascertained and ever ready, otherwise it would become a grievance to the kingdom, he said, the king was master, and what orders soever he thought fit to send to the treasury, they should be most punctually obeyed. But the earl of Middleton knew there would be a great overplus of the excise beyond the pay of the troops: and he reckoned, that, if the collection was put in his hands, he would easily get a grant of the overplus at the year's end. The earl of Crawford said, no such thing was ever pretended to by any general, unless by such as set up to be independent, and who hoped by that means to make themselves the masters of the army. So he carried the point, which was thought a victory. And the earl of Middleton was much blamed for putting his interest at court on such an issue, where the pretension was so unusual and so unreasonable.

The next point was concerning lord Argyle's estate. The king was inclined to restore the lord Lorn; though much pains was taken to persuade him, that all the zeal he had expressed in his service was only an artifice between his father and him to preserve the family in all adventures: it was said, that had been an ordinary practice in Scotland for father and son to put themselves in different sides. The marquis of Argyle had taken very extraordinary methods to raise his own family to such a superiority in the Highlands, that he was a sort of a king among them. The marquis of Huntley had married his sister: and during their friendship Argyle was bound with him for some of his debts. After that, the marquis of Huntley, as he neglected his affairs, so he engaged in the king's side, by which Argyle saw he must be undone. So he pretended, that he only intended to secure himself, when he bought in prior mortgages and debts, which, as was believed, were compounded at very low rates. The friends of the marquis of Huntley's family pressed the king hard to give his heirs the confiscation of that part of Argyle's estate, in which the marquis of Huntley's debts, and all the pretension on his estate were comprehended. And it was given to the marquis of Huntley, now duke of Gordon, then a young child: but no care was taken to breed him a protestant. The marquis of Montrose, and all others whose estates had been ruined under Argyle's conduct, expected likewise reparation out of his estate; which was a very great one, but in no way able to satisfy all those demands. And it was believed that the earl of Middleton himself hoped to have carried away the main bulk of it; so that both the lord Lorn and he concurred, though with different views, to put a stop to all the pretensions made upon it.

The point of the greatest importance then under consideration was, whether episcopacy should be restored in Scotland, or not. The earl of Middleton assured the king, it was desired by the greater and honester part of the nation. One synod had as good as petitioned for it: and many others wished for it, though the share they had in the late wars made them think it was not fit or decent for them to move for it. Sharp assured the king, that none but the protestors, of whom he had a very bad opinion, were against it; and that of the resolutioners there would not be found twenty that would oppose it. All those who were for making the change agreed, that it ought to be done now, in the first heat of joy after the restoration, and before the act of indemnity passed. The earl of Lauderdale and all his friends on the other hand assured the king, that the national prejudice against it was still very strong, that those who seemed zealous for it ran into it only as a method to procure favour, but that those who were against it would be found stiff and eager in their opposition to it; that by setting it up the king would lose the affections of the nation, and that the supporting it would grow a heavy load on his government. The earl of Lauderdale turned all this, that looked like a zeal for presbytery, to a dexterous insinuating himself into the king's confidence; as one that designed nothing but his greatness and his having Scotland sure to him, in order to the executing of any design he might afterwards be engaged in. The king went very coldly into the design. He said, he remembered well the aversion that he himself had observed in that nation to any thing that looked like a superiority in the church. But to that the earl of Middleton and Sharp answered, by assuring him that the insolencies committed by the

presbyterians while they governed, and the ten years' usurpation that had followed, had made such a change in people's tempers, that they were much altered since he had been among them. The king naturally hated presbytery: and having called a new parliament in England, that did with great zeal espouse the interests of the church of England, and were now beginning to complain of the evacuating the garrisons held by the army in that kingdom, he gave way, though with a visible reluctancy, to the change of the church government in Scotland. The aversion he seemed to express was imputed to his own indifference as to all those matters, and to his unwillingness to involve his government in new trouble. But the view of things that the earl of Lauderdale had given him was the true root of all that coldness. The earl of Clarendon set it on with great zeal. And so did the duke of Ormond; who said, it would be very hard to maintain the government of the church in Ireland, if presbytery continued in Scotland; since the northern counties, which were the best stocked of any they had, as they were originally from Scotland, so they would still follow the way of that nation. Upon all this diversity of opinion, the thing was proposed in a Scotch council at Whitehall. The earl of Crawford declared himself against it: but the earl of Lauderdale, duke Hamilton, and sir Robert Murray, were only for delaying the making any such change, till the king should be better satisfied concerning the inclinations of the nation. The result of the debate (all the rest who were present being earnest for the change) was, that a letter was written to the privy council of Scotland, intimating the king's intentions for setting up episcopacy, and demanding their advice upon it. The earl of Glencairn ordered the letter to be read, having taken care that such persons should be present who he knew would speak warmly for it, that so others, who might intend to oppose it, might be frightened from doing it. None spoke against it but the earl of Kincairdine. He proposed, that some certain methods might be taken, by which they might be well informed, and so be able to inform the king, of the temper of the nation, before they offered an advice, that might have such effects as might very much perplex, if not disorder, all their affairs. Some smart repartees passed between the earl of Glencairn and him. This was all the opposition that was made at that board. So a letter was written to the king from thence, encouraging him to go on, and assuring him, that the change he intended to make would give a general satisfaction to the main body of the nation.

Upon that the thing was resolved on. It remained after this only to consider the proper methods of doing it, and the men who ought to be employed in it. Sheldon and the English bishops had an aversion to all that had been engaged in the covenant; so they were for seeking out all the episcopal clergy, who had been driven out of Scotland in the beginning of the troubles, and preferring them. There was but one of the old bishops left alive, Sydserfe, who had been bishop of Galloway. He had come up to London, not doubting but that he should be advanced to the Primacy of Scotland. It is true, he had of late done some very irregular things: when the act of uniformity required all men who held any benefices in England to be episcopally ordained, he, who by observing the ill effects of their former violence was become very moderate, with others of the Scotch clergy that gathered about him, did set up a very indefensible practice of ordaining all those of the English clergy who came to him, and that without demanding either oaths or subscriptions of them. Some believed, that this was done by him, only to subsist on the fees that arose from the letters of orders so granted; for he was very poor. This did so disgust the English bishops at him and his company, that they took no care of him or them. Yet they were much against a set of presbyterian bishops. They believed they could have no credit, and that they would have no zeal. This touched Sharp to the quick: so he laid the matter before the earl of Clarendon. He said, these old episcopal men by their long absence out of Scotland knew nothing of the present generation: and by the ill usage they had met with they were so irritated, that they would run matters quickly to great extremities. And, if there was a faction among the bishops, some valuing themselves upon their constant steadiness, and looking with an ill eye on those who had been carried away with the stream, this would divide and distract their counsels; whereas a set of men of moderate principles would be more uniform in their proceedings. This prevailed with the earl of Clarendon, who saw the king so remiss in that matter, that he resolved to keep things in as great temper as was possible. And he, not doubting but that Sharp would

pursue that in which he seemed to be so zealous and hot, and carry things with great moderation, persuaded the bishops of England to leave the management of that matter wholly to him. And Sharp, being assured of that at which he had long aimed, laid aside his mask; and owned, that he was to be archbishop of St. Andrews. He said to some, from whom I had it, that when he saw that the king was resolved on the change, and that some hot men were like to be advanced, whose violence would ruin the country, he had submitted to that post on design to moderate matters, and to cover some good men from a storm that might otherwise break upon them. So deeply did he still dissemble: for now he talked of nothing so much as of love and moderation.

Sydserfe was removed to be bishop of Orkney, one of the best revenues of any of the bishopries in Scotland: but it had been almost in all times a sinecure. He lived little more than a year after his translation. He had died in more esteem, if he had died a year before it. But Sharp was ordered to find out proper men for filling up the other sees. That care was left entirely to him. The choice was generally very bad.

Two men were brought up to be consecrated in England, Fairfoul, designed for the see of Glasgow, and Hamilton, brother to the lord Belhaven, for Galloway. The former of these was a pleasant and facetious man, insinuating and crafty: but he was a better physician than a divine. His life was scarce free from scandal: and he was eminent in nothing that belonged to his own function. He had not only sworn the covenant, but had persuaded others to do it. And when one objected to him, that it went against his conscience, he answered, there were some very good medicines that could not be chewed, but were to be swallowed down; and since it was plain that a man could not live in Scotland unless he sware it, therefore it must be swallowed down without any farther examination. Whatever the matter was, soon after the consecration his parts sunk so fast, that in a few months he, who had passed his whole life long for one of the cunningest men in Scotland, became almost a changeling; upon which it may be easily collected what commentaries the presbyterians would make. Sharp lamented this to me, as one of their great misfortunes. He said it began to appear in less than a month after he came to London. Hamilton was a good-natured man, but weak. He was always believed episcopal. Yet he had so far complied in the time of the covenant, that he affected a peculiar expression of his counterfeit zeal for their cause, to secure himself from suspicion: when he gave the sacrament, he excommunicated all that were not true to the covenant, using a form in the Old Testament of shaking out the lap of his gown; saying, so did he cast out of the church and communion all that dealt falsely in the covenant.

With these there was a fourth man found out, who was then at London at his return from the Bath, where he had been for his health: and on him I will enlarge more copiously. He was the son of Doctor Leighton, who had in archbishop Laud's time written "Zion's Plea against the Prelates;" for which he was condemned in the star-chamber to have his ears cut and his nose slit. He was a man of a violent and ungoverned heat. He sent his eldest son Robert to be bred in Scotland, who was accounted a saint from his youth up. He had great quickness of parts, a lively apprehension, with a charming vivacity of thought and expression. He had the greatest command of the purest Latin that ever I knew in any man. He was a master both of Greek and Hebrew, and of the whole compass of theological learning, chiefly in the study of the Scriptures. But that which excelled all the rest was, he was possessed with the highest and noblest sense of divine things that I ever saw in any man. He had no regard to his person, unless it was to mortify it by a constant low diet, that was like a perpetual fast. He had a contempt both of wealth and reputation. He seemed to have the lowest thoughts of himself possible, and to desire that all other persons should think as meanly of him as he did himself: he bore all sorts of ill usage and reproach, like a man that took pleasure in it. He had so subdued the natural heat of his temper, that in a great variety of accidents, and in a course of twenty-two years' intimate conversation with him, I never observed the least sign of passion, but upon one single occasion. He brought himself into so composed a gravity, that I never saw him laugh, and but seldom smile. And he kept himself in such a constant recollection, that I do not remember that ever I heard him say one idle word. There was a visible tendency in all he said to raise his own mind, and those he conversed with to serious reflections. He seemed to be in a perpetual meditation. And, though the whole course of his life was strict and

ascetical, yet he had nothing of the sourness of temper that generally possesses men of that sort. He was the freest from superstition, of censuring others, or of imposing his own methods on them possible. So that he did not so much as recommend them to others. He said there was a diversity of tempers; and every man was to watch over his own, and to turn it in the best manner he could. His thoughts were lively, oft out of the way and surprising, yet just and genuine. And he had laid together in his memory the greatest treasure of the best and wisest of all the ancient sayings of the heathens as well as christians, that I have ever known any man master of: and he used them in the aptest manner possible. He had been bred up with the greatest aversion imaginable to the whole frame of the church of England. From Scotland his father sent him to travel. He spent some years in France, and spoke that language like one born there. He came afterwards and settled in Scotland, and had presbyterian ordination. But he quickly broke through the prejudices of his education. His preaching had a sublimity both of thought and expression in it. The grace and gravity of his pronunciation was such, that few heard him without a very sensible emotion: I am sure I never did. His style was rather too fine: but there was a majesty and beauty in it that left so deep an impression, that I cannot yet forget the sermons I heard him preach thirty years ago. And yet with this he seemed to look on himself as so ordinary a preacher, that while he had a cure he was ready to employ all others: and when he was a bishop he chose to preach to small auditories, and would never give notice beforehand: he had indeed a very low voice, and so could not be heard by a great crowd. He soon came to see into the follies of the presbyterians, and to dislike their covenant; particularly the imposing it, and their fury against all who differed from them. He found they were not capable of large thoughts: theirs were narrow, as their tempers were sour. So he grew weary of mixing with them. He scarce ever went to their meetings, and lived in great retirement, minding only the care of his own parish at Newbottle, near Edinburgh. Yet all the opposition that he made to them was, that he preached up a more exact rule of life than seemed to them consistent with human nature: but his own practice did even outshine his doctrine.

In the year 1648 he declared himself for the engagement for the king; but the earl of Lothian, who lived in his parish, had so high an esteem for him, that he persuaded the violent men not to meddle with him, though he gave occasion to great exception; for when some of his parish, who had been in the engagement, were ordered to make public profession of their repentance for it, he told them, they had been in an expedition, in which, he believed, they had neglected their duty to God, and had been guilty of injustice and violence, of drunkenness and other immoralities, and he charged them to repent of these very seriously, without meddling with the quarrel or the grounds of that war. He entered into a great correspondence with many of the episcopal party, and with my own father in particular, and did wholly separate himself from the presbyterians. At last he left them, and withdrew from his cure, for he could not do the things imposed on him any longer; and yet he hated all contention so much, that he chose rather to leave them in a silent manner, than to engage in any disputes with them: but he had generally the reputation of a saint, and of something above human nature in him. So the mastership of the college of Edinburgh falling vacant some time after, and it being in the gift of the city, he was prevailed with to accept of it, because in it he was wholly separated from all church matters. He continued ten years in that post, and was a great blessing in it; for he talked so to all the youth of any capacity or distinction, that it had great effect on many of them. He preached often to them; and if crowds broke in, which they were apt to do, he would have gone on in his sermon in Latin, with a purity and life that charmed all who understood it. Thus he had lived above twenty years in Scotland, in the highest reputation that any man in my time ever had in that kingdom.

He had a brother well known at court, sir Elisha, who was very like him in face and in the vivacity of his parts, but the most unlike him in all other things that can be imagined; for, though he loved to talk of great sublimities in religion, yet he was a very immoral man. He was a papist of a form of his own, but he had changed his religion to raise himself at court; for he was at that time secretary to the duke of York, and was very intimate with the lord Aubigny, a brother of the duke of Richmond, who had changed his religion, and was a priest, and had probably been a cardinal if he had lived a little longer. He maintained

an outward decency, and had more learning and better notions than men of quality who enter into orders in that church generally have. Yet he was a very vicious man; and that perhaps made him the more considered by the king, who loved and trusted him to a high degree. No man had more credit with the king, for he was in the secret as to his religion, and was more trusted with the whole design, that was then managed in order to establish it, than any man whatsoever. Sir Elisha brought his brother and him acquainted; for Leighton loved to know men in all the varieties of religion.

In the vacation time he made excursions, and came oft to London, where he observed all the eminent men in Cromwell's court, and in the several parties then about the city of London. But he told me, he could never see any thing among them that pleased him. They were men of unquiet and meddling tempers, and their discourses and sermons were dry and unsavoury, full of airy cant, or of bombast swellings. Sometimes he went over to Flanders, to see what he could find in the several orders of the church of Rome. There he found some of Jansenius's followers, who seemed to be men of extraordinary tempers, and studied to bring things, if possible, to the purity and simplicity of the primitive ages, on which all his thoughts were much set. He thought controversies had been too much insisted on, and had been carried too far. His brother, who thought of nothing but the raising himself at court, fancied that his being made a bishop might render himself more considerable. So he possessed the lord Aubigny with such an opinion of him, that he made the king apprehend, that a man of his piety and his notions (and his not being married was not forgotten) might contribute to carry on their design. He fancied such a monastic man, who had a great stretch of thought, and so many other eminent qualities, would be a mean at least to prepare the nation for popery, if he did not directly come over to them; for his brother did not stick to say, he was sure that lay at root with him. So the king named him of his own proper motion, which gave all those that began to suspect the king himself great jealousies of him. Leighton was averse to this promotion, as much as was possible. His brother had great power over him, for he took care to hide his vices from him, and to make before him a show of piety. He seemed to be a papist rather in name and show than in reality, of which I will set down one instance that was then much talked of. Some of the church of England loved to magnify the sacrament in an extraordinary manner, affirming the real presence, only blaming the church of Rome for defining the manner of it; saying, Christ was present in a most inconceivable manner. This was so much the mode, that the king and all the court went into it. So the king, upon some raillery about transubstantiation, asked sir Elisha if he believed it. He answered, he could not well tell, but he was sure the church of England believed it. And when the king seemed amazed at that, he replied, do not you believe that Christ is present in a most inconceivable manner? Which the king granted. Then, said he, that is just transubstantiation, the most inconceivable thing that was ever yet invented. When Leighton was prevailed on to accept a bishopric, he chose Dunblane, a small diocese as well as a little revenue: but the deanery of the chapel royal was annexed to that see; so he was willing to engage in that, that he might set up the common prayer in the king's chapel, for the rebuilding of which orders were given. The English clergy were well pleased with him, finding him both more learned, and more thoroughly theirs in the other points of uniformity, than the rest of the Scotch clergy, whom they could not much value. And though Sheldon did not much like his great strictness, in which he had no mind to imitate him, yet he thought such a man as he was might give credit to episcopacy, in its first introduction to a nation much prejudiced against it. Sharp did not know what to make of all this. He neither liked his strictness of life, nor his notions. He believed they would not take the same methods, and fancied he might be much obscured by him; for he saw he would be well supported. He saw the earl of Lauderdale began to magnify him. And so Sharp did all he could to discourage him, but without any effect, for he had no regard to him. I bear still the greatest veneration for the memory of that man, that I do for any person, and reckon my early knowledge of him, which happened the year after this, and my long and intimate conversation with him, that continued to his death, for twenty-three years, among the greatest blessings of my life, and for which I know I must give an account to God in the great day in a most particular manner; and yet, though I know this account of

his promotion may seem a blemish upon him, I would not conceal it, being resolved to write of all persons and things with all possible candour. I had the relation of it from himself, and more particularly from his brother. But what hopes soever the papists had of him at this time, when he knew nothing of the design of bringing in popery, and had therefore talked of some points of popery with the freedom of an abstracted and speculative man, yet he expressed another sense of the matter when he came to see it was really intended to be brought in among us. He then spoke of popery in the complex at much another rate; and he seemed to have more zeal against it, than I thought was in his nature with relation to any points in controversy; for his abstraction made him seem cold in all those matters. But he gave all who conversed with him a very different view of popery, when he saw we were really in danger of coming under the power of a religion, that had, as he used to say, much of the wisdom that was earthly, sensual, and devilish, but had nothing in it of the wisdom that was from above, and was pure and peaceable. He did indeed think the corruptions and cruelties of popery were such gross and odious things, that nothing could have maintained that church under those just and visible prejudices, but the several orders among them, which had an appearance of mortification and contempt of the world, and with all the trash that was among them maintained a face of piety and devotion. He also thought the great and fatal error of the Reformation was, that more of those houses, and of that course of life, free from the entanglements of vows and other mixtures, was not preserved; so that the protestant churches had neither places of education, nor retreat for men of mortified tempers. I have dwelt long upon this man's character, but it was so singular, that it seemed to deserve it: and I was so singularly blessed by knowing him as I did, that I am sure he deserved it of me that I should give so full a view of him, which I hope may be of some use to the world.

When the time fixed for the consecration of the bishops of Scotland came on, the English bishops finding that Sharp and Leighton had not episcopal ordination, as priests and deacons, the other two having been ordained by bishops before the wars, they stood upon it, that they must be ordained, first deacons and then priests. Sharp was very uneasy at this, and remembered them of what had happened when king James had set up episcopacy. Bishop Andrews moved at that time the ordaining them, as was now proposed; but that was overruled by king James, who thought it went too far towards the unchurching of all those who had no bishops among them. But the late war, and the disputes during that time, had raised these controversies higher, and brought men to stricter notions, and to maintain them with more fierceness. The English bishops did also say, that by the late act of uniformity that matter was more positively settled than it had been before; so that they could not legally consecrate any, but those who were, according to that constitution, made first priests and deacons. They also made this difference between the present time and king James's; for then the Scots were only in an imperfect state, having never had bishops among them since the Reformation; so in such a state of things, in which they had been under a real necessity, it was reasonable to allow of their orders, how defective soever: but that of late they had been in a state of schism, had revolted from their bishops, and had thrown off that order; so that orders given in such a wilful opposition to the whole constitution of the primitive church was a thing of another nature. They were positive in the point, and would not dispense with it. Sharp stuck more at it than could have been expected from a man that had swallowed down greater matters. Leighton did not stand much upon it: he did not think orders given without bishops were null and void. He thought the forms of government were not settled by such positive laws as were unalterable, but only by apostolical practices, which, as he thought, authorised episcopacy as the best form: yet he did not think it necessary to the being of a church. But he thought that every church might make such rules of ordination as they pleased, and that they might re-ordain all that came to them from any other church, and that the re-ordaining a priest ordained in another church imported no more but that they received him into orders according to their rules, and did not infer the annulling the orders he had formerly received. These two were upon this privately ordained deacons and priests; and then all the four were consecrated publicly in the abbey of Westminster. Leighton told me, he was much struck with the feasting and jollity of that day; it had not such an appear-

ance of seriousness or piety as became the new-modelling of a church. When that was over, he made some attempts to work up Sharp to the two designs which possessed him most: the one was, to try what could be done towards the uniting the presbyterians and them. He offered Usher's reduction, as the plan upon which they ought to form their schemes *. The other was, to try how they could raise men to a truer and higher sense of piety, and bring the worship of that church out of their extempore methods into more order; and so to prepare them for a more regular way of worship, which he thought was of much more importance than a form of government. But he was amazed when he observed that Sharp had neither formed any scheme, nor seemed so much as willing to talk of any. He reckoned they would be established in the next session of parliament, and so would be legally possessed of their bishoprics; and then every bishop was to do the best he could to get all once to submit to his authority: and when that point was carried, they might proceed to other things, as should be found expedient; but he did not care to lay down any scheme. Fairfoul, when he talked to him, had always a merry tale ready at hand to divert him; so that he avoided all serious discourse, and indeed did not seem capable of any. By these means Leighton quickly lost all heart and hope, and said often to me upon it, that in the whole progress of that affair there appeared such cross characters of an angry providence, that, how fully soever he was satisfied in his own mind as to episcopacy itself, yet it seemed that God was against them, and that they were not like to be the men that should build up his church; so that the struggling about it seemed to him like a fighting against God. He who had the greatest hand in it proceeded with so much dissimulation, and the rest of the order were so mean and so selfish, and the earl of Middleton, with the other secular men that conducted it, were so openly impious and vicious, that it did cast a reproach on every thing relating to religion, to see it managed by such instruments.

All the steps that were made afterwards were of a piece with this melancholy beginning. Upon the consecration of the bishops, the presbyteries of Scotland that were still sitting began now to declare openly against episcopacy, and to prepare protestations, or other acts or instruments, against them. Some were talking of entering into new engagements against the submitting to them; so Sharp moved, that, since the king had set up episcopacy, a proclamation might be issued out, forbidding clergymen to meet together in any presbytery, or other judicatory, till the bishops should settle a method of proceeding in them. Upon the setting out this proclamation, a general obedience was given to it; only the ministers, to keep up a show of acting on an ecclesiastic authority, met once and entered into their books a protestation against the proclamation, as an invasion on the liberties of the church, to which they declared they gave obedience only for a time, and for peace sake. Sharp procured this without any advice, and it proved very fatal; for when king James brought in the bishops before, they had still suffered the inferior judicatories to continue sitting, till the bishops came, and sat down among them: some of them protested indeed against that; yet they sat on ever after: and so the whole church had a face of unity, while all sat together in the same judicatories, though upon different principles. The old presbyterians said, they sat still as in a court settled by the laws of the church and state: and though they looked on the bishops sitting among them, and assuming a negative vote, as an usurpation, yet, they said, it did not infer a nullity on the court: whereas now, by this silencing these courts, the case was much altered: for if they had continued sitting, and the bishops had come among them, they would have said, it was like

* The proposition of archbishop Usher to effect a union between the episcopal church and the presbyterian was brought forward by that learned and pious prelate in 1641 and 1648. He suggested there should be suffragans appointed, equalling in number the rural deaneries, who should hold monthly synods of all the rectors or incumbents within their districts: that diocesan synods should meet once or twice annually, consisting of the suffragans and rectors, or a select number of them, presided over by the bishop, or superintendent; and that there should be provincial synods every third year, consisting of all the bishops, suffragans, and other elected clergy, of which the primate of the province should be moderator. Charles the First, and the presbyterian clergy, though neither were perfectly satisfied, mutually gave way, and assented to the plan; but the parliament would not consent to any arrangement that did not secure the entire abolition of episcopacy. —Parr's Life of Usher.—Baxter's Life, by himself.

the bearing with an usurpation, when there was no remedy: and what protestations soever they might have made, or what opposition soever they might have given the bishops, that would have been kept within their own walls, but would not have broken out into such a distraction as the nation was cast into upon this: all the opposition that might have been made would have died with those few that were disposed to make it; and, upon due care to fill the vacant places with worthy and well-affected men, the nation might have been brought off from their prejudices. But these courts being now once broken, and brought together afterwards by a sort of connivance, without any legal authority, only as the bishop's assistants and officials, to give him advice, and to act in his name, they pretended they could not sit in them any more, unless they should change their principles and become thoroughly episcopal, which was too great a turn to be soon brought about. So fatally did Sharp precipitate matters. He affected to have the reins of the church wholly put into his hands. The earl of Lauderdale was not sorry to see him commit errors; since the worse things were managed, his advices would be thereby the more justified. And the earl of Middleton and his party took no care of any business, being almost perpetually drunk; by which they came in a great measure to lose the king. For though, upon a frolic, the king, with a few in whose company he took pleasure, would sometimes run into excess; yet he did it seldom, and had a very bad opinion of all that got into the habit and love of drunkenness.

The bishops came down to Scotland soon after their consecration, all in one coach. Leighton told me he believed they were weary of him, for he was very weary of them; but he, finding they intended to be received at Edinburgh with some pomp, left them at Morpeth, and came to Edinburgh a few days before them. He hated all the appearances of vanity. He would not have the title of lord given him by his friends, and was not easy when others forced it on him. In this I always thought him too stiff: it provoked the other bishops, and looked like singularity and affectation, and furnished those that were prejudiced against him with a specious appearance to represent him as a man of odd notions and practices. The lord chancellor, with all the nobility and privy councillors then at Edinburgh, went out, together with the magistracy of the city, and brought the bishops in, as in triumph. I looked on: and though I was thoroughly episcopal, yet I thought there was somewhat in the pomp of that entry, that did not look like the humility that became their function: soon after their arrival, six other bishops were consecrated, but not ordained priests and deacons. The see of Edinburgh was for some time kept vacant. Sharp hoped that Douglas might be prevailed on to accept it; but he would enter into no treaty about it: so the earl of Middleton forced upon Sharp one Wishart, who had been the marquis of Montrose's chaplain, and had been taken prisoner, and used with so much cruelty in the gaol of Edinburgh, that it seemed but justice to advance a man in that place, where he had suffered so much *.

The session of parliament came on in April, 1662; where the first thing that was proposed by the earl of Middleton was, that since the act rescissory had annulled all the parliaments after that held in the year 1633, the former laws in favour of episcopacy were now again in force, the king had restored that function which had been so long glorious in the church, and for which his blessed father had suffered so much: and though the bishops had a right to come and take their place in parliament, yet it was a piece of respect to send some of every state to invite them to come, and sit among them. This was agreed to: so upon the message

* Dr. George Wishart was born in East Lothian. He graduated at Edinburgh, and, after ordination, was appointed to the ministry of North Leith. He was ejected from this preferment in 1638, for refusing to take the covenant, and was imprisoned in the *Thief's Hole*, or vilest cell of the Tolbooth prison at Edinburgh. His confinement was long and distressing; but finally obtaining his liberty, he joined the earl of Montrose, and obtained the chaplaincy of a regiment. He wrote the adventures of that gallant but unfortunate nobleman, as has been mentioned at p. 35, and narrowly escaped sharing his fate. Subsequently he was chaplain to the sister of Charles the First, the queen of Bohemia. At the Restoration he obtained the incumbency of Newcastle-upon-Tyne; and in June 1662 was consecrated bishop of Edinburgh, as is mentioned in the text. He died in 1671. Clarendon styles him the "learned and pious." Wood says he was a most religious man, and very charitable. Unforgetful of his sufferings whilst in goal, he always sent the first dish of his dinner to the prisoners.—Wood's Fasti Oxon, ii. 142—Clarendon's Hist. of Rebellion, iii. 225—Keith's History of the Scotch Bishops.

the bishops came and took their places. Leighton went not with them, as indeed he never came to parliament but when there was something before them that related to religion, or to the church.

The first act that passed in this session was for restoring episcopacy, and settling the government of the church in their hands. Sharp had the framing of this act, as Primrose told me. The whole government and jurisdiction of the church in the several dioceses was declared to be lodged in the bishops, which they were to exercise with the advice and assistance of such of their clergy as were of known loyalty and prudence: all men that held any benefice in the church were required to own and submit to the government of the church, as now by law established. This was plainly the setting episcopacy on another bottom than it had been ever on in Scotland before this time; for the whole body of the presbyterians did formerly maintain such a share in the administration, that the bishops had never pretended to any more, than to be their settled presidents, with a negative voice upon them. But now it was said, that the whole power was lodged simply in the bishop, who was only bound to carry along with him in the administration so many presbyters as he thought fit to single out, as his advisers and assistants, which was the taking all power out of the body of the clergy: church judicatories were now made only the bishop's assistants; and the few of the clergy that must assist being to be picked out by him, that was only a matter of shew; nor had they any authority lodged with them, all that being vested only in the bishop: nor did it escape censure, that among the qualifications of those presbyters that were to be the bishop's advisers and assistants, loyalty and prudence were only named; and that piety and learning were forgotten, which must always be reckoned the first qualifications of the clergy. As to the obligation to own and submit to the government thus established by law, they said, it was hard to submit to so high an authority as was now lodged with the bishops; but to require them to own it seemed to import an antecedent approving, or at least a subsequent justifying of such an authority, which carried the matter far beyond a bare obedience, even to an imposing upon conscience. These were not only the exceptions made by the presbyterians, but by the episcopal men themselves, who had never carried the argument farther in Scotland, than for a precedency, with some authority in ordination, and a negative in matters of jurisdiction. They thought the body of the clergy ought to be a check upon the bishops, and that, without the consent of the majority, they ought not to be legally empowered to act in so imperious a manner as was warranted by this act. Many of them would never subscribe to this form of owning and submitting: and the more prudent bishops did not impose it on their clergy. The whole frame of the act was liable to great censure. It was thought an inexcusable piece of madness, that, when a government was brought in upon a nation so averse to it, the first step should carry their power so high. All the bishops, except Sharp, disowned their having any share in the penning this act, which, indeed, was passed in haste, without due consideration. Nor did any of the bishops, no, not Sharp himself, ever carry their authority so high as by the act they were warranted to do. But all the enemies to episcopacy had this act ever in their mouths, to excuse their not submitting to it; and said, it asserted a greater stretch of authority in bishops, than they themselves thought fit to assume.

Soon after that act passed, some of the presbyterian preachers were summoned to answer before the parliament for some reflections made in their sermons against episcopacy: but nothing could be made of it, for their words were general, and capable of different senses. So it was resolved, for a proof of their loyalty, to tender them the oath of allegiance and supremacy. That had been enacted in the former parliament, and was refused by none but the earl of Cassilis. He desired that an explanation might be made of the supremacy: the words of the oath were large: and when the oath was enacted in England, a clear explanation was given in one of the articles of the church of England, and more copiously afterwards in a discourse by archbishop Usher, published by king James's order. But the parliament would not satisfy him so far: and they were well pleased to see scruples raised about the oath, that so a colour might be put on their severities against such as should refuse it, as being men that refused to swear allegiance to the king. Upon that the earl of Cassilis left the parliament, and quitted all his employments: for he was a man of a most inflexible firm-

ness. Many said there was no need of an explanation, since, how ambiguous soever the words might be in themselves, yet that oath, being brought to Scotland from England, ought to be understood in the same sense in which it was imposed in that kingdom. On the other hand, there was just reason for some men being tender in so sacred a matter as an oath. The earl of Cassilis had offered to take the oath, provided he might join his explanation to it. The earl of Middleton was contented to let him say what he pleased, but he would not suffer him to put it in writing. The ministers, to whom it was now tendered, offered to take it upon the same terms; and in a petition to the lords of the articles, they offered their explanation. Upon that a debate arose, whether an act explanatory of the oath should be offered to the parliament, or not. This was the first time that Leighton appeared in parliament. He pressed, it might be done, with much zeal. He said, the land mourned by reason of the many oaths that had been taken: the words of this oath were certainly capable of a bad sense; in compassion to papists, a limited sense had been put on them in England; and he thought there should be a like tenderness showed to protestants, especially when the scruple was just, and there was an oath in the case, in which the matter ought certainly to be made clear: to act otherwise looked like the laying snares for people, and the making men offenders for a word. Sharp took this ill from him, and replied upon him with great bitterness; and said, it was below the dignity of government to make acts to satisfy the weak scruples of peevish men: it ill became them, who had imposed their covenant on all people without any explanation, and had forced all to take it, now to expect such extraordinary favours. Leighton insisted that it ought to be done for that very reason, that all people might see a difference between the mild proceedings of the government now, and their severity: and that it ill became the very same persons, who had complained of that rigour, now to practise it themselves; for thus it may be said, the world goes mad by turns. This was ill taken by the earl of Middleton and all his party: for they designed to keep the matter so, that the presbyterians should be possessed with many scruples on this head; and that, when any of the party should be brought before them, whom they believed in fault, but had not full proof against, the oath should be tendered as the trial of their allegiance, and that on their refusing it they should censure them as they thought fit. So the ministers' petition was rejected, and they were required to take the oath as it stood in the law, without putting any sense upon it. They refused to do it, and were upon that condemned to perpetual banishment, as men that denied allegiance to the king. And by this an engine was found out to banish as many as they pleased; for the resolution was taken up by the whole party to refuse it, unless with an explanation. So soon did men forget all their former complaints of the severity of imposing oaths, and began to set on foot the same practices now, when they had it in their power to do it. But how unbecoming soever this rigour might be in laymen, it was certainly much more indecent when managed by clergymen: and the supremacy which was now turned against the presbyterians was, not long after this, laid much heavier on the bishops themselves: and then they desired an explanation, as much as the presbyterians did now, but could not obtain it.

The parliament was not satisfied with this oath: for they apprehended that many would infer, that, since it came from England, it ought to be understood in the public and established sense of the words that was passed there, both in an article of doctrine and in an act of parliament. Therefore another oath was likewise taken from the English pattern, of abjuring the covenant—both the league and the national covenant. It is true, this was only imposed on men in the magistracy, or in public employments. By it all the presbyterians were turned out; for this oath was decried by the ministers as little less than open apostacy from God, and a throwing off their baptismal covenant.

The main business of this session of parliament, now that episcopacy was settled, and these oaths were enacted, was the passing of the act of indemnity. The earl of Middleton had obtained of the king an instruction to consent to the fining of the chief offenders, or to other punishments not extending to life. This was intended to enrich him and his party, since all the rich and great offenders would be struck with the terror of this, and choose rather to make him a good present, than to be fined on record, as guilty persons. This matter was debated at the council in Whitehall. The earls of Lauderdale and Crawford

argued against it. They said the king had granted a full indemnity in England, out of which none were excepted but the regicides: it seemed, therefore, an unkind and an unequal way of proceeding towards Scotland, that had merited eminently at the king's hands ever since the year 1648, and suffered much for it, that the one kingdom should not have the same measure of grace and pardon that was granted in the other. The earl of Middleton answered, that all he desired was in favour of the loyal party in Scotland, who were undone by their adhering to the king: the revenue of the crown was too small, and too much charged, to repair their losses; so the king had no other way to be just to them, but to make their enemies pay for their rebellion. Some plausible limitations were offered to the fines to which any should be condemned, as that they should be only for offences committed since the year 1650, and that no man should be fined in above a year's rent of his estate. These were agreed to. So he had an instruction to pass an act of indemnity, with a power of fining restrained to these rules. There was one sir George Mackenzie, since made lord Tarbot and earl of Cromarty, a young man of great vivacity of parts, but full of ambition, and had the art to recommend himself to all sides and parties by turns, and has made a great figure in that country now above fifty years. He had great notions of virtue and religion, but they were only notions, at least they have not had great effect on himself at all times. He became now the earl of Middleton's chief favourite *. Primrose was grown rich and cautious; and his maxim having always been, that, when he apprehended a change, he ought to lay in for it by courting the side that was depressed, that so in the next turn he might secure friends to himself, he began to think that the earl of Middleton went too fast to hold out long. He had often advised him to manage the business of restoring episcopacy in a slow progress. He had formed a scheme, by which it would have been the work of seven years: but the earl of Middleton's heat, and Sharp's vehemence, spoiled all his project. The earl of Middleton, after his own disgrace, said often to him, that his advices had been always wise and faithful; but he thought princes were more sensible of services, and more apt to reflect on them, and to reward them, than he found they were.

When the settlement of episcopacy was over, the next care was to prepare the act of indemnity. Some proposed that, besides the power of fining, they should move the king, that he would consent to an instruction, empowering them likewise to put some under an incapacity to hold any public trust. This had never been proposed in public; but the earl of Middleton pretended, that many of the best affected of the parliament had proposed it in private to himself. So he sent the lord Tarbot up to the king with two draughts of an act of indemnity, the one containing an exception of some persons to be fined, and the other containing likewise a clause for the incapacitating of some, not exceeding twelve, from all public trust. He was ordered to lay both before the king: the one was penned according to the earl of Middleton's instructions: the other was drawn at the desire of the parliament, for which he prayed an instruction, if the king thought fit to approve of it. The earl of Lauderdale had no apprehension of any design against himself in the motion; so he made no objection to it: and an instruction was drawn, empowering the earl of Middleton to pass an act with that clause. Tarbot was then much considered at court, as one of the most extraordinary men that Scotland had produced, and was the better liked, because he was looked on as the person that the earl of Middleton intended to set up in the earl of Lauderdale's room, who was then so much hated, that nothing could have preserved him but the course that was taken to ruin him. So lord Tarbot went back to Scotland. And the duke of Richmond and the earl of Newburgh went down with him, by whose wild and ungoverned extravagancies the earl of Middleton's whole conduct fell under an universal odium and so much contempt, that, as his own ill management forced the king to put an end to his ministry, so he could not have served there much longer with any reputation.

* Whatever may have been the virtues or the religious sincerity of sir George Mackenzie, there is no doubt that he was a man of talent. At the Restoration he was made a senator of the college of justice, clerk of the privy council, and justice-general. James the Second raised him to the peerage as lord Tarbot; and queen Anne made him secretary of state and earl of Cromarty. Notwithstanding his official employments, he found time for the indulgence of his literary taste. He was the author of two works on Scotch history, one relating to the Gowrie conspiracy, &c. He died in 1714, aged eighty-eight.—General Biog. Dict.

One instance of unusual severity was, that a letter of the lord Lorn's to the lord Duffus was intercepted, in which he did a little too plainly, but very truly, complain of the practices of his enemies in endeavouring to possess the king against him by many lies; but he said, he had now discovered them, and had defeated them, and had gained the person upon whom the chief among them depended. This was the earl of Clarendon, upon whom the earl of Berkshire had wrought so much, that he resolved to oppose his restoration no more: and for this the earl of Berkshire was to have a thousand pounds. This letter was carried into the parliament, and complained of as leasing-making; since lord Lorn pretended, he had discovered the lies of his enemies to the king, which was a sowing dissension between the king and his subjects, and the creating in the king an ill opinion of them. So the parliament desired, the king would send him down to be tried upon it. The king thought the letter very indiscreetly written, but could not see any thing in it that was criminal. Yet, in compliance with the desire of so zealous a parliament, lord Lorn was sent down upon his parole: but the king wrote positively to the earl of Middleton, not to proceed to the execution of any sentence that might pass upon him. Lord Lorn upon his appearance was made a prisoner; and an indictment was brought against him for leasing-making. He made no defence; but in a long speech he set out the great provocation he had been under, the many libels that had been printed against him: some of these had been put in the king's own hands, to represent him as unworthy of his grace and favour: so, after all that hard usage, it was no wonder, if he had written with some sharpness: but he protested, he meant no harm to any person; his design being only to preserve and save himself from the malice and lies of others, and not to make lies of any. In conclusion, he submitted to the justice of the parliament, and cast himself on the king's mercy. He was upon this condemned to die, as guilty of leasing-making: and the day of his execution was left to the earl of Middleton by the parliament *.

I never knew any thing more generally cried out on than this was, unless it was the second sentence passed on him twenty years after this, which had more fatal effects, and a more tragical conclusion. He was certainly born to be the most signal instance in this age of the rigour, or rather of the mockery, of justice. All that was said at this time to excuse the proceeding was, that it was certain his life was in no danger. But since that depended on the king, it did not excuse those who passed so base a sentence, and left to posterity the precedent of a parliamentary judgment, by which any man may be condemned for a letter of common news. This was not all the fury with which this matter was driven: for an act was passed against all persons who should move the king for restoring the children of those who were attainted by parliament; which was an unheard of restraint on applications to the king for his grace and mercy. This the earl of Middleton also passed, though he had no instruction for it. There was no penalty put in the act, for it was a maxim of the pleaders for prerogative, that the fixing a punishment was a limitation on the crown: whereas an act forbidding any thing, though without a penalty, made the offenders criminal: and in that case they did reckon, that the punishment was arbitrary, only that it could not extend to life. A committee was next appointed for setting the fines: they proceeded without any regard to the rules the king had set them. The most obnoxious compounded secretly. No consideration was had either of men's crimes, or of their estates; no proofs were brought; enquiries were not so much as made; but as men were delated, they were marked down for such a fine; and all was transacted in a secret committee. When the list

* It will elucidate the character of this amiable nobleman to sketch the chief incidents of his life previous to this period. Archibald Campbell, lord Lorn, was the eldest son of the earl of Argyle, whose unjustifiable execution was mentioned in a previous page, and which event his well intended efforts accelerated instead of preventing. When Charles the Second was invited to Scotland in 1650, to assume its crown, lord Lorn was appointed colonel of the king's foot-guards; and, at his own determined request, had his commission from the king, although all others were granted by the Scotch parliament. Clarendon says, that he was very strict in watching the king but this could not have proceeded from any disloyal feeling, or wish, to annoy him; for in the "History of the King's Exile," he is acknowledged to have done all that he could to alleviate the rigid restraint imposed on his majesty by the presbyterian clergy. He fought with distinguished bravery at Dunbar and Worcester; and as Burnet mentions, elsewhere, kept up a party in the Highlands for the royal service. Cromwell excepted him out of his general pardon in 1654. —Thurloe's State Papers; Crawford's Lives of the Great Officers of Scotland; Memoirs of Scotch Affairs from the Restoration to the Revolution; Woodrow's Hist. of the Church of Scotland.

of the men and of their fines was read in parliament, exceptions were made to divers, particularly some who had been under age all the time of transgression, and others abroad; but to every thing of that kind an answer was made, that there would come a proper time in which every man was to be heard in his own defence; for the meaning of setting the fine was only this, that such persons should have no benefit by the act of indemnity, unless they paid the fine: therefore every one that could stand upon his innocence, and renounce the benefit of the indemnity, was thereby free from the fine, which was only his composition for the grace and pardon of the act. So all passed in that great hurry.

The other point concerning the incapacity was carried farther than was perhaps intended at first; though the lord Tarbot assured me, he had from the beginning designed it. It was infused into all people, that the king was weary of the earl of Lauderdale, but that he could not decently throw him off, and that, therefore, the parliament must help him with a fair pretence for doing it. Yet others were very apprehensive, that the king could not approve of a parliament's falling upon a minister. So lord Tarbot proposed two expedients: the one was, that no person should be named, but that every member should do it by ballot, and should bring twelve names in a paper; and that a secret committee of three of every estate should make the scrutiny; and that they, without making any report to the parliament, should put those twelve names on whom the greater number fell in the act of incapacity, which was to be an act apart, and not made a clause of the act of indemnity. This was taken from the ostracism in Athens, and seemed the best method in an act of oblivion, in which all that was passed was to be forgotten: and no seeds of feuds would remain, when it was not so much as known against whom any one had voted. The other expedient was, that a clause should be put in the act, that it should have no force, and that the names in it should never be published, unless the king should approve of it. By this means it was hoped, that, if the king should dislike the whole thing, yet it would be easy to soften that, by letting him see how entirely the act was in his power. Emissaries were sent to every parliament man, directing him how to make his list, that so the earls of Lauderdale, Crawford, and sir Robert Murray, might be three of the number. This was managed so carefully, that by a great majority they were three of the incapacitated persons. The earl of Middleton passed the act, though he had no instruction about it in this form. The matter was so secretly carried, that it was not let out the day before it was done; for they had reckoned their success in it was to depend on the secresy of it, and in their carrying it to the king, before he should be possessed against it by the earl of Lauderdale, or his party. So they took great care to visit the packet, and to stop any that should go to court post: and all people were under such terror, that no courage was left. Only lord Lorn sent one on his own horses, who was to go on in cross roads, till he got into Yorkshire; for they had secured every stage to Durham. By this means the earl of Lauderdale had the news three days before the duke of Richmond and lord Tarbot got to court. He carried it presently to the king, who could scarce believe it: but when he saw by the letters that it was certainly true, he assured the earl of Lauderdale that he would preserve him, and never suffer such a destructive precedent to pass. He said, he looked for no better upon the duke of Richmond's going to Scotland, and, his being perpetually drunk there. This mortified the earl of Lauderdale; for it looked like the laying in an excuse for the earl of Middleton. From the king, by his orders, he went to the earl of Clarendon, and told all to him. He was amazed at it; and said, that certainly he had some secret friend that had got into their confidence, and had persuaded them to do as they had done on design to ruin them: but, growing more serious, he added, he was sure the king on his own account would take care not to suffer such a thing to pass: otherwise no man could serve him: if way was given to such a method of proceeding, he himself would go out of his dominions as fast as his gout would suffer him.

Two days after this, the duke of Richmond and lord Tarbot came to court. They brought the act of incapacity sealed up, together with a letter from the parliament, magnifying the earl of Middleton's services, and another letter signed by ten of the bishops, setting forth his zeal for the church, and his care of them all; and, in particular, they set out the design he was then on, of going round some of the worst affected counties to see the church established in them, as a work that was highly meritorious. At the same time he sent over the

earl of Newburgh to Ireland, to engage the duke of Ormond to represent to the king the good effects that they began to feel in that kingdom from the earl of Middleton's administration in Scotland, hoping the king would not discourage, much less change, so faithful a minister. The king received the duke of Richmond and lord Tarbot very coldly. When they delivered the act of incapacity to him, he assured them, it should never be opened by him; and said, their last actings were like madmen, or like men that were perpetually drunk. Lord Tarbot said, all was yet entire, and in his hands; the act being to live or to die as he pleased. He magnified the earl of Middleton's zeal in his service, and the loyal affections of his parliament, who had on this occasion consulted both the king's safety, and his honour: the incapacity act was only intended to put it out of the power of men, who had been formerly bad instruments, to be so any more: and even that was submitted by them to the king's judgment. The king heard them patiently, and without any farther discourse on the subject, dismissed them. So they hoped they had mollified him. But the earl of Lauderdale turned the matter upon the earl of Middleton and lord Tarbot, who had made the king believe that the parliament desired leave to incapacitate some, whereas no such desire had ever been made in parliament: and then, after the king, upon that misrepresentation, had given way to it, the parliament was made to believe, that the king desired, that some might be put under that censure; so that the abuse had been equally put on both. Honours went by ballot at Venice; but punishments had never gone so, since the ostracism at Athens, which was the factious practice of a jealous commonwealth, never to be set up as a precedent under a monarchy: even the Athenians were ashamed of it, when Aristides, the justest man among them, fell under the censure; and they laid it aside not long after.

The earl of Clarendon gave up the thing as inexcusable; but he studied to preserve the earl of Middleton. The change newly made in the church of Scotland had been managed by him with zeal and success: but though it was well begun, yet if these laws were not maintained by a vigorous execution, the presbyterians, who were quite dispirited by the steadiness of his conduct, would take heart again; especially if they saw the earl of Lauderdale grow upon him, whom they looked on as theirs in his heart: so he prayed the king to forgive one single fault, that came after so much merit. He also sent advices to the earl of Middleton to go on in his care of establishing the church, and to get the bishops to send up copious accounts of all that he had done. The king ordered him to come up, and to give him an account of the affairs in Scotland: but he represented the absolute necessity of seeing some of the laws lately made put in execution; for it was hoped, the king's displeasure would be allayed, and go off, if some time could be but gained.

One act passed in the last parliament that restored the rights of patronage, the taking away of which even presbytery could not carry till the year 1649, in which they had the parliament entirely in their hands. Then the election of ministers was put in the church session and the lay elders: so that, from that time all that had been admitted to churches came in without presentations. One clause in the act declared all these incumbents to be unlawful possessors: only it indemnified them for what was past, and required them before Michaelmas to take presentations from the patrons, who were obliged to give them being demanded, and to get themselves to be instituted by the bishops; otherwise their churches were declared vacant on Michaelmas day. This took in all the young and hot men: so the presbyterians had many meetings about it, in which they all resolved not to obey the act. They reckoned, the taking institution from a bishop was such an owning of his authority, that it was a renouncing of all their former principles: whereas some few that had a mind to hold their benefices, thought that was only a secular law that gave a legal right to their tithes and benefices, and had no relation to their spiritual concerns; and therefore they thought they might submit to it, especially where bishops were so moderate as to impose no subscription upon them, as the greater part were. But the resolution taken by the main body of the presbyterians was, to pay no obedience to any of the acts made in this session, and to look on, and see what the state would do. The earl of Middleton was naturally fierce, and that was heightened by the ill state of his affairs at court: so he resolved on a punctual execution of the law. He and all about him were at this time so constantly disordered, by high entertainments and other excesses, that, even in the short intervals between their drunken bouts, they were not cool nor calm enough to consider

what they were doing. He had also so mean an opinion of the party, that he believed they would comply with any thing rather than lose their benefices. And therefore he declared, he would execute the law in its utmost rigour. On the other hand, the heads of the presbyterians reckoned, that if great numbers were turned out all at once, it would not be possible to fill their places on the sudden; and that the government would be forced to take them in again, if there were such a vacancy made, that a great part of the nation were left destitute, and had no divine service among them. For that which all the wiser of the party apprehended most was, that the bishops would go on slowly, and single out some that were more factious upon particular provocations, and turn them out by degrees, as they had men ready to put in their room; which would have been more insensible, and more excusable, if indiscreet zealots had, as it were, forced censures from them. The advice sent over all the country, from their leaders who had settled measures in Edinburgh, was, that they should do and say nothing that might give a particular distaste, but should look on, and do their duty as long as they were connived at; and that if any proclamation should be issued out, commanding them to be silent, they should all obey at once. In these measures both sides were deceived in their expectations. The bishops went to their several dioceses: and according as the people stood affected they were well or ill received: and they held their synods every where in October. In the northern parts very few stood out, but in the western parts scarce any came to them. The earl of Middleton went to Glasgow before Michaelmas. So when the time fixed by the act was passed, and that scarce any one in all those counties had paid any regard to it, he called a meeting of the privy council, that they might consider what was fit to be done. Duke Hamilton told me, that they were all so drunk that day, that they were not capable of considering any thing that was laid before them, and would hear of nothing but the executing the law without any relenting or delay. So a proclamation was issued out, requiring all who had their livings without presentations, and who had not obeyed the late act, to give over all farther preaching, or serving the cure, and to withdraw from their parishes immediately: and the military men that lay in the country were ordered to pull them out of their pulpits, if they should presume to go on in their functions. This was opposed only by duke Hamilton, and sir James Lockhart, father to sir William Lockhart. They represented, that the much greater part of the preachers in these counties had come into their churches since the year 1649; that they were very popular men, both esteemed and loved of their people: it would be a great scandal if they should be turned out, and none be ready to put in their places; and it would not be possible to find a competent number of well qualified men, to fill the many vacancies that this proclamation would make. The earl of Middleton would hear of nothing, but the immediate execution of the law. So the proclamation was issued out: and upon it above two hundred churches were shut up in one day: and above one hundred and fifty more were to be turned out for not obeying, and submitting to the bishops' summons to their synods. All this was done without considering the consequence of it, or communicating it to the other bishops. Sharp said to myself, that he knew nothing of it; nor did he imagine, that so rash a thing could have been done, till he saw it in print. He was glad that this was done without his having any share in it: for by it he was furnished with somewhat, in which he was no way concerned, upon which he might cast all the blame of all that followed. Yet this was suitable enough to a maxim that he and all that sort of people set up, that the execution of laws was that by which all governments maintained their strength, as well as their honour. The earl of Middleton was surprised at this extraordinary submission of the presbyterians. He had fancied, that the greatest part would have complied, and that some of the more intractable would have done some extraordinary thing, to have justified the severities he would have exercised in that case; and was disappointed both ways. Yet this obedience of a party, so little accustomed to it, was much magnified at court. It was said, that all plied before him: they knew he was steady: so they saw how necessary it was not to change the management, if it was really intended to preserve the church. Lord Tarbot told me, that the king had expressed to himself the esteem he had for Sheldon, upon the account of the courage that he shewed in the debate concerning the execution of the act of uniformity at the day prefixed, which was St. Bartholomew's: for some suggested the danger that might arise, if the act were vigorously executed. From thence it seems the earl of

Middleton concluded, the zeal he shewed now would be so acceptable, that all former errors would be forgiven, if he went through with it; as indeed he stuck at nothing. Yet the clamour of putting several counties, as it were, under an interdict, was very great. So all endeavours were used to get as many as could be had to fill those vacancies. And among others I was much pressed, both by the earl of Glencairn and the lord Tarbot, to go into any of the vacant churches that I liked. I was then but nineteen: yet there is no law in Scotland limiting the age of a priest. And it was upon this account that I was let so far into the secret of all affairs: for they had such an imagination of some service I might do them, that they treated me with a very particular freedom and confidence. But I had imbibed the principles of moderation so early, that, though I was entirely episcopal, yet I would not engage with a body of men, that seemed to have the principles and tempers of inquisitors in them, and to have no regard to religion in any of their proceedings. So I stood upon my youth, and could not be brought on to go to the West; though the earl of Glencairn offered to carry me with him under his protection.

There was a sort of an invitation sent over the kingdom, like a hue and cry, to all persons to accept of benefices in the west. The livings were generally well endowed, and the parsonage houses were well built, and in good repair: and this drew many very worthless persons thither, who had little learning, less piety, and no sort of discretion. They came thither with great prejudices against them, and had many difficulties to wrestle with. The former incumbents, who were for the most part protestors, were a grave sort of people. Their spirits were eager, and their tempers sour: but they had an appearance that created respect. They were related to the chief families in the country, either by blood or marriage; and had lived in so decent a manner, that the gentry paid great respect to them. They used to visit their parishes much, and were so full of the scriptures, and so ready at extempore prayer, that from that they grew to practise extempore sermons: for the custom in Scotland was after dinner or supper to read a chapter in the scripture: and where they happened to come, if it was acceptable, they on the sudden expounded the chapter. They had brought the people to such a degree of knowledge, that cottagers and servants would have prayed extempore. I have often overheard them at it: and though there was a large mixture of odd stuff, yet I have been astonished to hear how copious and ready they were in it. The ministers generally brought them about them on the Sunday nights, where the sermons were talked over; and every one, women as well as men, were desired to speak their sense and their experience: and by these means they had a comprehension of matters of religion, greater than I have seen among people of that sort any where. The preachers went all in one track, of raising observations on points of doctrine out of their text, and proving these by reasons, and then of applying those, and shewing the use that was to be made of such a point of doctrine, both for instruction and terror, for exhortation and comfort, for trial of themselves upon it, and for furnishing them with proper directions and helps: and this was so methodical, that the people grew to follow a sermon quite through every branch of it. To this some added, the resolving of doubts concerning the state they were in, or their progress, or decay in it; which they called cases of conscience: and these were taken from what their people said to them at any time, very oft being under fits of melancholy, or vapours, or obstructions, which, though they flowed from natural causes, were looked on as the work of the spirit of God, and a particular exercise to them; and they fed this disease of weak minds too much. Thus they had laboured very diligently, though with a wrong method and wrong notions. But as they lived in great familiarity with their people, and used to pray and to talk oft with them in private, so it can hardly be imagined to what a degree they were loved and reverenced by them. They kept scandalous persons under a severe discipline: for breach of sabbath, for an oath, or the least disorder in drunkenness, persons were cited before the church session, that consisted of ten or twelve of the chief of the parish, who with the minister had this care upon them, and were solemnly reproved for it: for fornication they were not only reproved before these; but there was a high place in the church called the stool or pillar of repentance, where they sat at the times of worship for three Lord's days, receiving admonitions, and making profession of repentance on all those days; which some did with many tears, and serious exhortations to all the rest, to take warning by their fall:

for adultery they were to sit six months in that place, covered with sackcloth. These things had a grave appearance. Their faults and defects were not so conspicuous. They had a very scanty measure of learning, and a narrow compass in it. They were little men, of a very indifferent size of capacity, and apt to fly out into great excess of passion and indiscretion. They were servile, and too apt to fawn upon, and flatter their admirers. They were affected in their deportment, and very apt to censure all who differed from them, and to believe and report whatsoever they heard to their prejudice. And they were superstitious and haughty. In their sermons they were apt to enlarge on the state of the present time, and to preach against the sins of princes and courts: a topic that naturally makes men popular. It has an appearance of courage: and the people are glad to hear those sins insisted on, in which they perceive they have no share, and to believe that the judgments of God come down by the means and procurement of other men's sins. But their opinions about the independence of the church and clergy on the civil power, and their readiness to stir up the people to tumults and wars, was that which begot so ill an opinion of them at this time in all men, that very few, who were not deeply engaged with them in these conceits, pitied them much under all the ill usage they now met with. I hope this is no impertinent nor ungrateful digression. It is a just and true account of these men and those times, from which a judicious reader will make good inferences. I will conclude this with a judicious answer that one of the wisest and best of them, Colvil, who succeeded Leighton in the headship of the college of Edinburgh, made to the earl of Middleton, when he pressed him in the point of defensive arms, to tell plainly his opinion, whether they were lawful or not. He said, the question had been often put to him, and he had always declined to answer it: but to him he plainly said, he wished that kings and their ministers would believe them lawful, and so govern as men that expect to be resisted; but he wished, that all their subjects would believe them to be unlawful, and so the world would be at quiet *.

I do now return to end the account of the state of that country at this time. The people were much troubled, when so many of their ministers were turned out. Their ministers had, for some months before they were thus silenced, been infusing this into their people, both in public and private; that all that was designed, in this change of church government, was to destroy the power of godliness, and to give an impunity to vice; that prelacy was a tyranny in the church, set on by ambitious and covetous men, who aimed at nothing but authority and wealth, luxury and idleness; and that they intended to encourage vice, that they might procure to themselves a great party among the impious and immoral. The people thus prepossessed, seeing the earl of Middleton, and all the train that followed him through those counties, running into excesses of all sorts, and railing at the very appearance of virtue and sobriety, were confirmed in the belief of all that their ministers had told them. What they had heard concerning Sharp's betraying those that had employed him, and the other bishops, who had taken the covenant, and had forced it on others, and now preached against it, openly owning that they had in so doing gone against the express dictate of their own conscience, did very much heighten all their prejudices, and fixed them so in them, that it was scarce possible to conquer them afterwards. All this was out of measure increased by the new incumbents, who were put in the places of the ejected preachers, and were generally very mean and despicable in all respects. They were the worst preachers I ever heard: they were ignorant to a reproach; and many of them were openly vicious. They were a disgrace to their orders, and the sacred functions; and were indeed the dreg and refuse of the northern parts. Those of them who rose above contempt or scandal, were men of such violent tempers, that they were as much hated, as the others were despised. This was the fatal beginning of restoring episcopacy in Scotland, of which few of the bishops seemed to have any sense. Fairfoul, the most concerned, had none at all: for he fell into a paralytic state, in which he languished a year before he died. I have thus opened the first settlement in Scotland: of which I myself observed what was visible, and understood the most secret

* This witty and just reply was made by Dr. Alexander Colvil. He wrote several works no longer in repute, except his "Scotch Hudibras," which is worth perusing as an exposure of the follies and vices of the period. He died in 1676.—General Biog. Dict.

transactions from those, who had such a share in them, that it was not possible for them to mistake them: and I had no reason to think they intended to deceive, or misinform me.

I will in the next place change the climate, and give as particular an account as I can of the settlement of England both in church and state: which, though it will be imperfect, and will in some parts be immethodical, yet I am well assured it will be found true; having picked it up at several times, from the earl of Lauderdale, sir Robert Murray, the earl of Shaftsbury, the earl of Clarendon, son of the lord chancellor, the lord Hollis, and sir Harbottle Grimstone, who was the speaker of the house of commons, under whose protection I lived nine years when I was preacher at the rolls, he being then master of the rolls. From such hands I could not be misled, when I laid all together, and considered what reason I had to make allowances for the different accounts that diversity of parties and interests may lead men to give, they too easily believing some things, and as easily rejecting others, as they stood affected.

After the king came over, no person in the house of commons had the courage to move the offering propositions, for any limitation of prerogative, or the defining of any doubtful points. All was joy and rapture. If the king had applied himself to business, and had pursued those designs which he studied to retrieve all the rest of his reign, when it was too late, he had probably in those first transports carried every thing that he would have desired, either as to revenue or power. But he was so given up to pleasure, that he devolved the management of all his affairs on the earl of Clarendon; who, as he had his breeding in the law, so he had all along declared himself for the ancient liberties of England, as well as for the rights of the crown. A domestic accident had happened to him, which heightened his zeal for the former. He, when he began to grow eminent in his profession, came down to see his aged father, a gentleman of Wiltshire: who one day as they were walking in the field together, told him, that men of his profession did often stretch law and prerogative, to the prejudice of the subject, to recommend and advance themselves: so he charged him, if ever he grew to any eminence in his profession, that he should never sacrifice the laws and liberties of his country to his own interests, or to the will of a prince. He repeated this twice: and immediately he fell into a fit of apoplexy, of which he died in a few hours. This the earl of Clarendon told the lady Ranelagh, who put him often in mind of it: and from her I had it.

He resolved not to stretch the prerogative beyond what it was before the wars, and would neither set aside the petition of right, nor endeavour to raise the courts of the star chamber or the high commission again, which could have been easily done, if he had set about it: nor did he think fit to move for the repeal of the act for triennial parliaments, till other matters were well settled. He took care indeed to have all the things that were extorted by the long parliament from king Charles the First repealed. And since the dispute of the power of the militia was the most important, and the most insisted on, he was very earnest to have that clearly determined for the future. But as to all the acts relating to property, or the just limitation of the prerogative, such as the matter of the ship-money, the tonnage and poundage, and the habeas corpus act, he did not touch on these. And as for the standing revenue, 1,200,000*l.* a year was all that was asked: and though it was much more than any of our kings had formerly, yet it was readily granted. It was believed, that if two millions had been asked, he could have carried it. But he had no mind to put the king out of the necessity of having recourse to his parliament. The king came afterwards to believe that he could have raised both his authority and revenue much higher, but that he had no mind to carry it farther, or to trust him too much. Whether all these things could have been got at that time, or not, is above my conjecture. But this I know, that all the earl of Clarendon's enemies after his fall said, these things had been easily obtained, if he had taken any pains in the matter, but that he himself had no mind to it: and they infused this into the king, so that he believed it, and hated him mortally on that account. And in his difficulties, afterwards, he said often, all those things might have been prevented, if the earl of Clarendon had been true to him.

The king had not been many days at Whitehall, when one Venner, a violent fifth-monarchy man, who thought it was not enough to believe that Christ was to reign on earth, and to put the saints in the possession of the kingdom, (an opinion that they were all

unspeakably fond of,) but added to this, that the saints were to take the kingdom themselves, he gathered some of the most furious of the party to a meeting in Coleman-street *. There they concerted the day and the manner of their rising to set Christ on his throne, as they called it. But withal they meant to manage the government in his name; and were so formal, that they had prepared standards and colours with their devices on them, and furnished with very good arms. But when the day came, there was but a small appearance, not exceeding twenty. However they resolved to venture out into the streets, and cry out, "No king but Christ." Some of them seemed persuaded that Christ would come down, and head them. They scoured the streets before them, and made a great progress. Some were afraid, and all were amazed at this piece of extravagance. They killed a great many, but were at last mastered by numbers: and were all either killed, or taken and executed. Upon this some troops of guards were raised. And there was a great talk of a design, as soon as the army was disbanded, to raise a force that should be so chosen and modelled that the king might depend upon it; and that it should be so considerable, that there might be no reason to apprehend new tumults any more. The earl of Southampton looked on a while: and, when he saw how this design seemed to be entertained and magnified, he entered into a very free expostulation with the earl of Clarendon about it. He said, they had felt the effects of a military government, though sober and religious, in Cromwell's army: he believed vicious and dissolute troops would be much worse: the king would grow fond of them: and they would quickly become insolent and ungovernable: and then such men as he was must be only instruments to serve their ends. He said, he would not look on, and see the ruin of his country begun, and be silent: a white staff should not bribe him. The earl of Clarendon was persuaded he was in the right, and promised he would divert the king from any other force, than what might be decent to make a shew with, and what might serve to disperse unruly multitudes. The earl of Southampton said, if it went no farther, he could bear it; but it would not be easy to fix such a number, as would please our princes, and not give jealousy. The earl of Clarendon persuaded the king that it was necessary for him to carry himself with great caution, till the old army should be disbanded: for, if an ill humour got among them, they knew both their courage and their principles, which the present times had for a while a little suppressed: yet upon any just jealousy there might be great cause to fear new and more violent disorders. By these means the king was so wrought on, that there was no great occasion given for jealousy. The army was to be disbanded, but in such a manner, with so much respect, and so exact an account of arrears, and such gratuities, that it looked rather to be the dismissing them to the next opportunity, and a reserving them till there should be occasion for their service, than a breaking of them. They were certainly the bravest, the best disciplined, and the soberest army that had ever been known in these latter ages: every soldier was able to do the functions of an officer. The court was in great quiet, when they got rid of such a burden, as lay on them from the fear of such a body of men. The guards, and the new troops that were raised, were made up of such of the army as Monk recommended, and answered for †, and with that his great interest at court came to a stand. He was little considered afterwards.

In one thing the temper of the nation appeared to be contrary to severe proceedings: for, though the regicides were at that time odious beyond all expression, and the trials and executions of the first that suffered were run to by vast crowds, and all people seemed pleased with the sight, yet the odiousness of the crime grew at last to be so much flattened by the frequent executions, and by most of those who suffered, dying with much firmness and shew

* Thomas Venner was a wine-cooper in affluent circumstances, having credit for good sense and piety, until he bewildered himself with the vain attempt to interpret the unfulfilled prophecies. He acquired the illusory opinions of the fifth monarchy men, or millennarians, and believed that all human government was to cease, and that Christ and the saints were about to commence a reign that was to endure for a thousand years. He considered Cromwell and Charles the second as usurpers upon this reign. To depose the latter he embarked in the mad enterprise, mentioned in the text. He was executed with twelve of his followers in the January of 1601. They blasphemously affirmed upon the scaffold that "if they were deceived, the Lord himself was their deceiver." This delusion continues to affect many minds; and has shewn itself in many fantastic forms.—Grainger's Biograph. Hist. vi. 10. Smollet's Hist. of England.

† The number of troops retained by Charles the Second was about 5,000. James the Second increased the amount to 30,000. The present standing army of England is more than 100,000.

of piety, justifying all they had done, not without a seeming joy for their suffering on that account, that the king was advised not to proceed farther, at least not to have the scene so near the court as Charing-cross. It was indeed remarkable that Peters, a sort of an enthusiastical buffoon preacher, though a very vicious man, who had been of great use to Cromwell, and had been outrageous in pressing the king's death with the cruelty and rudeness of an inquisitor, was the man of them all that was the most sunk in his spirit, and could not in any sort bear his punishment. He had neither the honesty to repent of it, nor the strength of mind to suffer for it as all the rest of them did. He was observed all the while to be drinking some cordial liquors to keep him from fainting *. Harrison was the first that suffered. He was a fierce and bloody enthusiast. And it was believed, that while the army was in doubt, whether it was fitter to kill the king privately, or to bring him to an open trial, that he offered, if a private way was settled on, to be the man that should do it. So he was begun with. But, however reasonable this might be in itself, it had a very ill effect, for he was a man of great heat and resolution, fixed in his principles, and so persuaded of them, that he never looked after any interests of his own, but had opposed Cromwell when he set up for himself. He went through all the indignities and severities of his execution, in which the letter of the law in cases of treason was punctually observed, with a calmness or rather a cheerfulness, that astonished the spectators. He spoke very positively, that what they had done was the work of God, which he was confident God would own and raise up again, how much soever it suffered at that time. Upon this a report was spread, and generally believed, that he said, he himself should rise again: though the party denied that, and reported the words as I have set them down †. One person escaped, as was reported, merely by his vices: Henry Martin, who had been a most violent enemy to monarchy. But all that he moved for, was upon Roman or Greek principles. He never entered into matters of religion, but on design to laugh both at them and all morality; for he was both an impious and vicious man. And now in his imprisonment he delivered himself up to vice and

* Mr. Hugh Peters was the son of a merchant at Fowey in Cornwall. He took his degree of master of arts at Trinity College, Cambridge, in 1622. One authority says he was expelled from Jesus' College for irregularity. It is certain that at one time he was a comedian, but left the stage and took orders. He was ordained by Dr. Mountaine, bishop of London, and lectured for some considerable time in the church of St. Sepulchre. Detected in intriguing with a married lady, he fled to Rotterdam, and was associated with the learned Dr. Aines as preacher there at the English church. From thence he went to America, and resided there about seven years. Upon his return to England, he was a most vehement partisan against the king, not only preaching against his authority, but bearing arms against him. When the king was in London, Mr. Peters was his gaoler; when his trial was proceeding, Mr. Peters directed the soldiers to clamour for justice; but it is doubtful whether he was out of his room when the king was executed, although one witness at his trial gave evidence to raise a suspicion that he even assisted to execute the king. Dr. Burnet's statement of the conduct of Mr. Peters at the time of his own execution, appears to have been derived from an incorrect authority. The narrative in the State Trials shews him to have died firmly and resignedly, although the conduct of the executioners and others was brutal in the extreme. He bent a piece of gold and sent it to his daughter with a consolatory message by a friend in the crowd whom he recognised; ascended the ladder without difficulty, and passed out of life without any symptom of fear. This was on the 16th of October 1660. The most authentic narrative of his life is in a work by himself, entitled "A Dying Father's Last Legacy, &c., or Hugh Peters' Advice to his Daughter." See also his Life by Harris and by Dr. Young; Price's Mystery and Memoir of his Majesty's Happy Restoration, &c., and State Trials, ii. There are several amusing illustrations of the pedantic cant and ridiculous verbiage of Mr. Peters and his sect, in Grainger's Biog. History, iii. 343.

† Major general Thomas Harrison, according to Clarendon, "was the son of a butcher[1] near Nantwich in Cheshire, and had been bred up in the place of a clerk under a lawyer of good account in those parts; which kind of education introduces men into the language and practice of business, and, if it be not resisted by the great ingenuity of the person, inclines young men to more pride than any other kind of breeding, and disposes them to be pragmatical and insolent, though they have the skill to conceal it from their masters, except they find them (as they are too often) inclined to cherish it. When the Rebellion first began, this man quitted his master, (who had relation to the king's service, and discharged his duty faithfully), and put himself into the parliament army, where, having first obtained the office of cornet, he got up by diligence and sobriety, to the state of a captain, without any signal notice taken of him, till the new model of the army; when Cromwell, who possibly had notice of him before, found him of a spirit and disposition fit for his service, much given to prayer and preaching, and otherwise of an understanding fit to be trusted in any business; to which his clerkship contributed very much; and then he was preferred very fast; so that by the time the king was brought to the army, he had been a colonel of horse, and looked upon as inferior to few, after Cromwell and Ireton, in the council of officers, and in the government of the agitators; and there were few men with whom Cromwell more communicated, or upon whom he more depended for the conduct of anything committed to him."—Hist. of Rebellion, iii. 190. An account of his trial, and the enthusiastic manner in which he met death, is stated fully in the second volume of the State Trials.

[1] Other authorities say he was an opulent grazier.

blasphemy. It was said, that this helped him to many friends, that upon that very account he was spared *. John Goodwin and Milton did also escape all censure, to the surprise of all people. Goodwin had so often not only justified, but magnified the putting the king to death, both in his sermons and books, that few thought he could have been either forgotten or excused: for Peters and he were the only preachers that spoke of it in that strain. But Goodwin had been so zealous an arminian, and had sown such division among all the sectaries upon these heads, that it was said this procured him friends. Upon what account soever it was, he was not censured †. Milton had appeared so boldly, though with much wit, and great purity and elegancy of style, against Salmasius and others, upon that argument of putting the king to death, and had discovered such violence against the late king and all the royal family, and against monarchy, that it was thought a strange omission if he was forgotten, and an odd strain of clemency, if it was intended he should be forgiven. He was not excepted out of the act of indemnity. And afterwards he came out of his concealment, and lived many years much visited by all strangers, and much admired by all at home for the poems he wrote, though he was then blind; chiefly that of Paradise Lost, in which there is a nobleness both of contrivance and execution, that, though he affected to write in blank verse without rhyme, and made many new and rough words, yet it was esteemed the most beautiful, and the most perfect poem that ever was written at least in our language ‡.

But as the sparing these persons was much censured, so on the other hand the putting sir Henry Vane to death was as much blamed: for the declaration from Breda being full for an indemnity to all, except the regicides, he was comprehended in that; since, though he was for changing the government, and deposing the king, yet he did not approve of the putting him to death, nor of the force put on the parliament, but did for some time, while these things were acted, withdraw from the scene. This was so represented by his friends, that an address was made by both houses on his behalf, to which the king gave a favourable answer, though in general words. So he reckoned that he was safe, that being equivalent to an act of parliament, though it wanted the necessary forms. Yet the great share he had in the attainder of the earl of Strafford, and in the whole turn of affairs to the total change of government, but above all the great opinion that was had of his parts and capacity to embroil

* Henry Marten, or as he was usually called Harry Martin, was the son of sir Henry Marten, and a native of Oxford. He took his degree of batchelor in arts, and afterwards became a member of one of the Inns of Court; travelled upon the continent; and upon his return married a rich wife. Notwithstanding these advantages, the principles, or rather the inclinations of Marten were too licentious to be quietly happy. In politics he was an extravagant republican. He told Clarendon "that he thought no one man wise enough to govern a nation;" and in all his speeches, writings, and efforts, he was a consistent leveller—aiming at the reduction of all nobles and gentlemen to one common level of wealth and station. In his morals he was as profligate, for in print he advocated the community of women; and acting up to his opinion was a martyr for it, and was the cause of his wife participating in the suffering penalty. He sat as one of the king's judges; signed the warrant for the king's execution; scoffed at and sold the insignia of royalty; but consistently opposed Cromwell when he was assuming the single supremacy. Many circumstances conjoined to save his life; he pleaded that he had surrendered, relying upon the promises in the king's proclamation; he had been the boon companion of many now in authority; and it was found that the intrepidity with which the executed regicides had endured their exasperated sufferings, won to their cause the public sympathy. Notwithstanding, an act of parliament was introduced, and even read a second time in the House of Commons for his execution, and that of eighteen others, and was then reluctantly dropped. It should be remarked, that this was a proceeding, after a year had elapsed, of the parliament disgracefully designated as "the pensioned." His life was spared at the expense of a forfeiture of all his property and his liberty. For twenty years he was a close and miserable prisoner in Chepstow Castle. He died there suddenly in 1680, aged seventy-eight. One part of the ruins of Chepstow Castle is still known as Marten's Tower. He was buried at Chepstow Church in the chancel, but a late incumbent, more prejudiced than discreet or charitable, removed his monument into the body of the church, because this record of a rebel ought not to stand near the altar!—Bloomfield's Banks of the Wye, 65.—Wood's Athenæ Oxon. ii. 659.—Clarendon's Autobiography, and Hist. of the Rebellion—Parliamentary History—Walker's History of Independency.

† John Goodwin was a fellow of Queen's College, Cambridge. In 1633, he was vicar of St. Stephen's parish, Coleman Street, from which he was ejected in 1645, for refusing to administer baptism and the Lord's supper promiscuously. He died in 1665, aged seventy-two. He seemed to be so far from agreeing with any sect entirely, that he was known by the soubriquet of "the Ishmael of Coleman Street—being a man by himself—was against every man, and had every man almost against him." There is no doubt that his having caused dissentions among the opponents of Charles the Second, saved his life, for in the Healing Parliament this plea was urged in his favour.—Wood's Athenæ Oxon. ii. 502, &c.—Calamy's Baxter and his Times.

‡ The life of Milton is believed to have been spared through the exertions for that purpose made by sir William Davenant, the dramatist, who had been indebted for a like favour to Milton at the time monarchy was abolished.

matters again, made the court think it necessary to put him out of the way. He was naturally a very fearful man: this one who knew him well told me, and gave me eminent instances of it. He had a head as darkened in his notions of religion, as his mind was clouded with fear: for though he set up a form of a religion in a way of his own, yet it consisted rather in a withdrawing from all other forms, than in any new or particular opinions or forms; from which he and his party were called seekers, and seemed to wait for some new and clearer manifestations. In these meetings he preached and prayed often himself, but with so peculiar a darkness, that though I have sometimes taken pains to see if I could find out his meaning in his words, yet I could never reach it. And since many others have said the same, it may be reasonable to believe he hid somewhat that was a necessary key to the rest. His friends told me, he leaned to Origen's notion of an universal salvation of all, both of devils and the damned, and to the doctrine of pre-existence. When he saw his death was designed, he composed himself to it, with a resolution that surprised all who knew how little of that was natural to him. Some instances of this were very extraordinary, though they cannot be mentioned with decency *. He was beheaded on Tower Hill, where a new and very indecent practice was begun. It was observed that the dying speeches of the regicides had left impressions on the hearers, that were not at all to the advantage of the government. So strains of a peculiar nature being expected from him, to prevent that, drummers were placed under the scaffold, who as soon as he began to speak to the public, upon a sign given, struck up with their drums. This put him in no disorder. He desired they might be stopped, for he understood what was meant by it. Then he went through his devotions. And, as he was taking leave of those about him, he happened to say somewhat with relation to the times, the drums struck up a second time: so he gave over, and died with so much composedness, that it was generally thought, the government had lost more than it had gained by his death †.

The act of indemnity passed with very few exceptions, at which the cavaliers were highly dissatisfied, and made great complaints of it. In the disposal of offices and places, as it was not possible to gratify all, so there was little regard had to men's merits or services. The king was determined to most of these by the cabal that met at Mistress Palmer's lodgings: and though the earl of Clarendon did often prevail with the king to alter the resolutions

* This alludes to the acknowledged fact, that his wife became pregnant by him the very night before his execution. This enabled the earl of Dorset to say of him very wittily, and severely if in earnest, that he believed his father begat him *after* his head was off.—Oxford edition of Burnet's History.

† Sir Henry Vane, the younger, is confessed even by Clarendon to have been distinguished for great natural talents, ready wit, and prompt powerful eloquence. He was an uncompromising advocate of the principle, that all power is delegated from, and for the benefit of the people. This was an unpardonable crime in the estimation of a Stuart, and was the undoubted cause of his execution. Charles the Second alluded to it in a letter to Clarendon, and used these words of blood—"Certainly he is too dangerous a man to let live, if we can honestly put him out of the way." He matriculated at Magdalene Hall, Oxford, but at the very outset declining to take the oaths of allegiance and supremacy, he studied as a private pupil of the master. Laud, then bishop of London, undertook his conversion, but he escaped from this annoyance to America, and was chosen governor by the men of New England; but disagreeing in various ways with those under his rule, he returned home in 1639, served in parliament, and as treasurer of the navy. He sided with the parliament in the contest with Charles the First; and similarly opposed the two Cromwells. In whatever station he acted as a politician, he is universally acknowledged to have evinced the greatest sagacity. He was one of the council of state, and for a time acted as its president. Upon the Restoration, although excepted at the request of the parliament out of the Breda declaration, yet as he had not been one of the king's judges, the House of Lords and Commons afterwards maintained that he was within the act of indemnity. The chancellor assured the parliament, that although the court considered him a very active, mischievous individual, and it would be necessary to keep a rod over him, yet if they petitioned the king, his life should be spared, even though attainted. Both houses petitioned to that effect, consequently his life might be considered secure. But the next, or Pensioned Parliament passed an order excepting him from the act of indemnity, and three weeks afterwards the attorney general was ordered to proceed with his prosecution. This breach of faith needs no comment; it is sufficient to remember that it was done by a Stuart, and our surprise will then cease. The account of his trial, and of his conduct at the place of execution, was a murder under a legal form. He beat his opponents in argument, and is said to have extorted from Mr. Kelyng, one of the king's counsel, the disgraceful remark, that "though they did not know what to say to him, they knew what to do with him." His conduct and his address whilst upon the scaffold were becomingly firm and excellent. When his neck was upon the block, he in his last words petitioned God to sustain him in this last struggle to glorify Him in the discharge of his duty to Him and his country; words that may be admitted as an attestation of his sincerity in the life that was then ending.—State Trials, ii. 459.—Clarendon's History of the Rebellion, i.—Wood's Athenæ Oxon. ii. 291.—Birch's Lives. Like most other religious enthusiasts he had peculiar notions which were adopted by many, forming a sect called the *Vanists*. Their peculiar tenets may be seen in the various tracts he published, and in Calamy's Life of Baxter.

taken there, yet he was forced to let a great deal go that he did not like. He would never make applications to Mistress Palmer, nor let any thing pass the seal in which she was named, as the earl of Southampton would never suffer her name to be in the treasury books. Those virtuous ministers thought it became them to let the world see that they did not comply with the king in his vices * : but whether the earl of Clarendon spoke so freely to

* As notice was made at p. 61 of the profligacy and licentiousness of Charles the Second, wickedness that was gloried in rather than concealed; how naturally this tended to deprave the public morals every one is a judge, because all know the influence upon society in general of the example of its higher classes. All historians bear confirming testimony to Roger Coke's assertion, that "king Charles left the nation more vitiated and debauched in its manners than ever it was by any other king."—Detection of Court, &c. ii. 320. There were other most injurious consequences arising from the profligacy of the king. His numerous offspring by his various concubines were made the instruments of bringing the peerage to which they were raised into contempt, and to make the people disgusted at the injustice of marking a commoner's bastards with infamy, and a monarch's with patent honours. It was one of these ennobled children, the duke of Monmouth, that involved England in a civil war, and brought the stain of some of its worthiest blood upon the scaffold.

Many of the acts of Charles's mistresses will be mentioned in future pages; therefore a slight biography, and a few anecdotes relative to the seven chief of these votaries of Venus, will enable the reader to judge of those who will hereafter be mentioned.

1. Mrs. Palmer, mentioned in the text, was Barbara Villiers, heiress of William, Viscount Grandison. She was married to Mr. Palmer, who was in vain created earl of Castlemaine, in the hope that it would bribe him to consent to his own dishonour. He separated from his licentious wife, and, in open contempt of our national honours and of moral feeling, she was immediately created Baroness Nonsuch, (which title might apply to her viciousness as well as her beauty,) countess of Southampton, and duchess of Cleveland. The earl of Dartmouth confirms the statement that the king slept with Barbara Villiers the first night after he came to London. She was then pregnant with the child that afterwards was countess of Sussex. The earl says, that though her husband believed it to be his child, yet she was always supposed to be the offspring of the old earl of Chesterfield.—Oxford Ed. of Burnet's Hist. She had six children, of which the king considered himself the father [1]. She died in 1709 [2]. Who introduced this lady to the king's notice does not appear; but he shewed his gratitude to God, and his fitness for the post of guardian of the laws, by beginning his criminal intimacy with her the very night after his restoration.—Secret Hist. of the Reign of Charles the Second, i. 446.

It was hoped that, after his marriage to the princess of Portugal in 1662, he would become less infatuated in this attachment; but the influence of the duchess was observed rather to increase than diminish after that event.

The queen was predetermined never to receive her rival in the king's affections at court; but Charles, having formed a contrary resolve, had the insulting cruelty to lead her into the queen's chamber a day or two after her arrival at Hampton-court. Her majesty, though youthful, succeeded in restraining the just expressions of her indignation, and received her with the courtesy she had shewn to the others of the nobility who were presented; but, as soon as she sat down, nature broke from restraint, blood gushed from her nose, and, though relieved by this and a flood of tears, she fainted, and the court immediately broke up. Instead of subduing him with shame and regret, this painful occurrence merely roused his indignation; and from that period he treated her majesty even in public with indifference and indignity, letting her pass without notice, whilst he was engaged in conversation with the duchess. By degrees the queen's spirit was subdued, and her mind, never very powerful, at length was taught not to revolt at receiving her into constant attendance as a lady of her bedchamber, and to be familiar and merry with her even in public.

To oppose or to establish the influence of the duchess in superiority over that of the queen, had employed the intriguing sagacity, the personal influence, and the best arts of persuasion, of the two parties, that then divided the statesmen of this country, and have almost ever since been known as the *Whigs* and *Tories*.

Clarendon, then lord chancellor, was at the head of the first-named party at this time. He and his friends used their utmost efforts to dissuade the king from pursuing his intention, and warned him of the consequences, by representing the impolicy as well as the sinfulness of such conduct. On the other hand, the earls of Bristol, Rochester, and others equally ambitious and profligate, who were leaders of the Tory party, and feared that their opponents would be immoveably strengthened if the queen could influence her husband, for she was very friendly to the chancellor, paid their court to the duchess of Cleveland, and were strenuous to increase towards her the king's attachment. They ridiculed all scruples suggested by religion, and found in the king an assenting auditor when they suggested that it was absurd to suppose we ought not to give way to desires given us by nature; for Charles once told Dr. Burnet that "he could not think God would make a man miserable only for taking a little pleasure out of the way." They suggested it as being forbidden by manly pride to yield the point to a woman infected with all the caprice and jealousy natural to her countrywomen. And they appealed to another passion, of which he was still more the slave, when they remarked, that having won the heart of a noble, young, and beautiful woman, whose father had died whilst fighting in defence of the crown; a woman who had sacrificed every thing to preserve his love; it would indeed be base to leave her who had now no happiness, no retreat from the scorn of the world, but that afforded by his tenderness and protection.

[1] Charles Fitzroy, born in 1662; created, when only thirteen years old, duke of Southampton, and, after the decease of his mother, duke of Cleveland. 2. Henry Fitzroy, born in 1663, and raised to the peerage as duke of Grafton. 3. George Fitzroy, born in 1665, and made duke of Norfolk. 4. Anne Fitzroy, born in 1661, and married when thirteen, to Thomas Lemond, earl of Sussex. 5. Charlotte Fitzroy, born in 1664, and married, when little more than twelve, to sir Edward Henry Lee, earl of Lichfield. 6. Barbara, born in 1672, who took the veil at Pontoise, in France.—Rapin's Hist. of England, by Tindal, ii. 740.

[2] She had married, some years before this event, Mr. Robert Fielding, known as "Handsome Fielding." He treated her with insolence and brutality. She prosecuted him for bigamy, but he was pardoned by queen Anne. His trial, which is worth reading, is in print. He is the *Orlando* of "the Tatler."—Memoirs of Mrs. Manley; Grainger's Biographical Hist.

the king about his course of life, as was given out, I cannot tell. When the cavaliers saw they had not that share in places that they expected, they complained of it so highly, that

Unfortunately these representations were certain to prevail, for they were in unison with his majesty's desires, and the unblushing avowal of his fixed resolve in this affair was conveyed in these words by letter to the lord chancellor, who had absented himself from court, as the last means in his power of expressing his repugnance to the proceeding. The words are Charles's own:

"I wish I may be unhappy in this world, and in the world to come, if I fail in the least degree of what I have resolved; which is, of making my lady Castlemaine of my wife's bedchamber: and whosoever I find use any endeavours to hinder this resolution of mine, except it be only to myself, I will be his enemy to the last moment of my life. You know how true a friend I have been to you: if you will oblige me eternally, make this business as easy to me as you can, what opinion soever you are of; for I am resolved to go through this matter, let what will come on it, which again I swear before Almighty God; therefore, if you desire to have the continuance of my friendship, meddle no more with this business, except it be to beat down all false and scandalous reports, and to facilitate what I am sure my honour is so much concerned in; and whosoever I find to be my lady Castlemaine's enemy in the matter, I do promise, upon my word, to be his enemy as long as I live."—Secret Hist. of Charles the Second, i. 449. This letter commences and concludes with a command to the chancellor to give this information to his friends. To read this unconnected with the details of the history, no one would conceive that so much fervour, so much rancour, and so much blasphemy, could be employed by "a praying king," in order to effect the insulting intrusion of his strumpet into an attendance upon his unwilling wife.

2. Lucy Walters, who assumed the name of Barlow, was the daughter of Richard Walters, esq., a gentleman of Wales. She was handsome, and, it appears, travelled to the Hague when Charles was first there, for the sole purpose of becoming his mistress. In which design Charles was not at all likely to disappoint her. She lived for some years in this intimacy, but having lost his affection, she was left at Paris, under the care of a clergyman, described by Kennet as "late master of the Charter-house," who said she led but an ill life, and who finally buried her at that city.

The princess of Orange, writing to Charles, concerning Lucy Walters, makes this excuse for her intriguing with other men, an excuse that does more disservice to her royal highness's character than it extenuates the other offender. "'Tis a frailty, they say, is given to the sex; therefore you will pardon her, I hope." Lucy Walters gave birth to a boy, at Rotterdam, in April, 1649, but she would not consent to consign him to the care of the king for education. However, upon her death, lord Crofts took charge of him. He grew up extremely handsome, and readily acquired those accomplishments in which then consisted almost the whole of a French gentleman's education. The queen dowager had frequently seen him; and, in 1662, by the king's desire, brought him with her into England. The king received him with, and always continued towards him, great fondness, gave him a liberal allowance, but neglected his mental cultivation.

The countess of Wemyss, by the duke of Buccleugh, her first husband, had one child, a daughter, who was the heiress of his great estates, and at this time about ten or twelve years old. General Monk was believed to have desired this prize for his son, but, upon the earl of Lauderdale's suggestion that she was fitting for the king's young protegé, the general, like a wise courtier, supported that proposition. Under the direction of the earl, a contract was drawn up, to be ratified by an act of the Scotch parliament, as both the parties were under age, stipulating that her estate in case of her death, or failure of issue, should devolve upon her affianced husband and his heirs for ever.

Hitherto the affair had been confided solely to the knowledge of the parties immediately concerned, but as it now became necessary to give the youth a name, and as it was intended to confer upon him an English peerage, the king shewed the marriage contract to the lord chancellor. Clarendon, after perusing it, expressed his dislike without reserve, not of the match, but of the young man's being described as the king's natural son, and then an English title annexed to him, "which," he said, "would have an ill sound in England with all his majesty's subjects, who thought that those unlawful acts ought to be concealed, and not published and justified[1]." To this just observation no attention was paid, and the illegitimacy was thus announced and honoured of him who is known in our history as the popular, the unfortunate duke of Monmouth. At a subsequent period, when it was considered desirable by a very numerous minority of statesmen to exclude the duke of York from succeeding to the throne, it was endeavoured to be proved that Charles was married to Lucy Walters, and that the duke of Monmouth was consequently legitimate, and the right heir to the crown. The rumour of this is said to have originated with the earl of Shaftesbury, who intimated that the marriage contract was in a black box, consigned by the bishop of Durham to the custody of sir Gilbert Gerard.—Ralph's Hist. of England. In contradiction of this, the last-named gentleman deposed, upon oath, "that he never had any such writing committed to his charge, nor did he ever see or know of such writing:" and the king himself had entered in the council register, and signed by sixteen privy councillors, "that to avoid any dispute which might happen in time to come, concerning the succession to the crown, he did declare, in the presence of Almighty God, that he never gave, nor made any contract of marriage, nor was married to Mrs. Barlow, *alias* Walters, the duke of Monmouth's mother, nor to any other woman whatsoever, but to his present wife, queen Katherine, then living[2]."—Sandford.—Kennet.—Echard.

This is quite sufficient to satisfy a reasonable mind that the duke of Monmouth was not legitimate for, fond as Charles was of him, and detesting as he did the queen, there is little doubt that he would have rejoiced to pursue a course that would have forwarded the interests of the one, and have released him from the other.

It is true that the princess of Orange, in writing to her brother concerning Lucy Walters, repeatedly names her as his *wife*, but, considering the lax delicacy of that age, this is no evidence of her being so legally; more especially as in one of those letters her royal highness pleads for her being excused for intriguing with other men.—Clarendon's Hist. of Rebellion.—Secret Hist. of the Reign of Charles the Second, i. 451. Clarendon describes her as a most licentious woman, and that she died of a disease usual to those who lead the life she pursued.

3. *Elizabeth Killigrew*, daughter of sir William Killigrew. This gentleman had been the faithful servant of

[1] Secret Hist. of the Reign of Charles the Second, i. 455.

[2] This record of kingly virtue was not confined to the council-book. It was published in the *London Gazette!* —Malcolm's Anecdotes of London, i. 341.

the earl of Clarendon, to excuse the king's passing them by, was apt to beat down the value they set on their services. This laid the foundation of an implacable hatred in many of them, that was completed by the extent and comprehensiveness of the act of indemnity, which cut off their hopes of being reimbursed out of the fines, if not the confiscations of those, who had during the course of the wars been on the parliament's side. It is true, the first parliament, called, by way of derogation, the convention, had been too much on that side not to secure themselves and their friends: so they took care to have the most com-

the king's father for many years, and his biographers have mentioned his appointment to the office of gentleman usher of the privy chamber, and subsequently to that of principal vice-chamberlain to the queen, as instances of the king's occasional remembrance of services: but they, of course, were ignorant when they uttered this praise, that his daughter was the king's mistress, a merit that did not particularly qualify him, one would think, to be in close attendance upon the queen.

Elizabeth Killigrew had her infancy rendered more conspicuous by being created viscountess Shannon. Her daughter, Charlotte Jemima Henrietta Maria Fitzroy, had two husbands, James Howard, esq, and sir William Paston, earl of Yarmouth.—Tindal's Rapin's Hist. of England, ii. 740.

Thomas Killigrew, usually termed, from his wit, and the licence permitted him by Charles, the *king's jester*, was uncle to that monarch's mistress. A jester is not to be confounded with the *motley-fool* of previous centuries. This Killigrew, and his brother sir William, were men of considerable literary attainments, and the authors of several works, chiefly dramas.

4. *Catherine Peg.* This royal mistress was the daughter of Thomas Peg, esq., of the county of Derby. She had one child by the king, Charles Fitz-Charles, born in 1658. He was created earl of Plymouth, and was killed in 1680, before Tangier. His widow, Bridget, daughter of sir Thomas Osborne, duke of Leeds, (or of lord-treasurer Danby, according to Grainger,) afterwards married Dr. Biss, bishop of Hereford.—Tindal's Rapin's Hist. ii. 740.

Catherine Peg is sometimes called Green, having married sir Edward Green, an Essex baronet.—Wood's Fasti Oxon. ii. 153, where there is an account of eleven of Charles's illegitimate children.

5. *Eleanor*, or more properly known as *Nell Gwyn*, was originally a vender of fruit at the theatres. She was formed by nature for a comedian, being very vivacious, and of a well-moulded form, though below a medium stature. Hart and Davis, then eminent actors, instructed her in the histrionic art, and in a short time she became eminently distinguished in all the most spirited characters. She spoke a prologue or epilogue admirably. She very rarely appeared in tragedy, but is known to have performed in the character of *Almahide*, alluded to by lord Lansdowne in his "Progress of Beauty" in this line—

"And Almahide once more by kings adored."

The pert, vivacious prattle of the orange wench by degrees became a wit refined, sufficiently to please Charles. It was sometimes extravagant, but, even when most eccentric, seemed so natural, that it caused laughter rather than disgust. She was, or affected to be, a friend of the orthodox clergy. It is a well-known fact that she paid the debt of a worthy divine, whom she saw in the hands of the bailiffs. It is equally true that she was once insulted by an Oxford mob, who mistook her for the duchess of Portsmouth; but she put her head out of the coach-window, and said, with her usual good humour—"Pray, good people, be civil; I am the protestant whore!" This laconic and candid speech drew upon her the cheers and blessings of the populace.—Grainger's Biog. Hist. v. 395. She died in 1687. The king's progeny by this lady were two sons: Charles Beauclerk, born in 1670, and created duke of St. Albans; and James Beauclerk, born in 1671, who died when nine years old in France. The duke of St. Albans married Diana Vere, eldest daughter and co-heiress of the last earl of Oxford.—Tindal's Rapin's Hist. ii. 740.

Eleanor Gwyn was a great favourite with the king. Upon his death-bed it will be seen he recommended all his children to the especial care of his brother, but he only particularised two of their mothers—the duchess of Portsmouth, and Mrs. Gwyn; his concluding words were, "Do not let poor Nelly starve!"—Roger Coke's Detection, ii. 171.

6. *Louise de Querouaille* or *Queroville*, vulgarly pronounced *Carwell*, was the most influential of the king's mistresses, not even excepting the duchess of Cleveland. She was not a delicate beauty, but it was little impaired when she was seventy. She died in 1734, aged eighty-nine.—Voltaire's Siècle de Louis XIV.—Grainger's Biog. Hist. It was the interest of France to secure to itself the friendship of the English government, and to effect this they condescended to pay, and Charles the Second was a sufficient traitor to his country to receive, an annuity.

Even this was not considered a sufficient bond of security upon this base monarch; and his sister, married to the duke of Orleans, condescended to be the pander to his still more animal passions, and actually brought with her to England the beautiful, fascinating Louise de Querouaille, who intended to gain an influence over the king, and to employ it in favour of her native country.

She became the favourite mistress of Charles, and preserved her ascendancy until his death. At the hour of death he recommended her repeatedly to the care of the duke of York. He said he had always loved her, and now loved her to the last, and besought him pathetically to be very kind to her and her son. To secure her to his interest, the French king erected the town of Aubigny into a duchy and peerdom, and entailed it upon her and such of her male issue by the king of England as he should name. It was subsequently succeeded to by her son, Charles Lenox, who bore the title of duke of Richmond in England. He was born in 1672; was married to a daughter of lord Brudenel, and died in 1723. His mother was created duchess of Portsmouth. She died immensely rich, having accumulated her wealth from the two monarchs who patronized her, and from those who willingly bought her interest in their favour.—Tindal's Rapin, ii. 740.—Supplement to Secret Hist. of Charles the Second, ii. 25.

7. *Mary Davis.* By this mistress the king appears to have had but one child, Mary Tudor, born in 1763, and married in 1687 to Francis Ratcliff, earl of Derwentwater. Mary Davis was originally a comedian in the duke of York's theatre. She is said to have captivated Charles by singing "My lodging is on the cold ground," in the character of *Celania*, a shepherdess mad from love. Nell Gwyn once played her a disastrous trick by giving her a violent cathartic, when she knew Mrs. Davis was to pass the night with the king.—Tindal's Rapin, ii. 740.—Grainger's Biograph. Hist. v. 393.

prehensive words put in it that could be thought of. But when the new parliament was called a year after, in which there was a design to set aside the act of indemnity, and to have brought in a new one, the king did so positively insist on his adhering to the act of indemnity, that the design of breaking into it was laid aside. The earl of Clarendon owned it was his counsel. Acts or promises of indemnity, he thought, ought to be held sacred: a fidelity in the observation of them was the only foundation, upon which any government could hope to quiet seditions, or civil wars: and if people once thought, that those promises were only made to deceive them, without an intention to observe them religiously, they would never for the future hearken to any treaty. He often said, "it was the making those promises had brought the king home, and it was the keeping them must keep him at home." So that whole work from beginning to the end was entirely his. The angry men, that were thus disappointed of all their hopes, made a jest of the title of it, "An act of oblivion and of indemnity; and said, "the king had passed an act of oblivion for his friends, and of indemnity for his enemies." To load the earl of Clarendon the more, it was given out that he advised the king to gain his enemies, since he was sure of his friends by their principles. With this he was often charged, though he always denied it. Whether the king fastened it upon him after he had disgraced him, to make him the more odious, I cannot tell. It is certain, the king said many very hard things of him, for which he was much blamed: and in most of them he was but little believed.

It was natural for the king upon his restoration to look out for a proper marriage; and it was soon observed, that he was resolved not to marry a protestant. He pretended a contempt of the Germans, and of the northern crowns. France had no sister. He had seen the duke of Orleans' daughters, and liked none of them. Spain had only two infantas, and as the eldest was married to the king of France, the second was to go to Vienna: so the house of Portugal only remained to furnish him a wife, among the crowned heads. Monk began to hearken to a motion made him for this by a Jew, that managed the concerns of Portugal, which were now given for lost, since they were abandoned by France by the treaty of the Pyrenees; in which it appears by Cardinal Mazarin's letters, that he did entirely deliver up their concerns; which was imputed to his desire to please the queen-mother of France, who, being a daughter of Spain, owned herself still to be in the interests of Spain in every thing in which France was not concerned, for in that case she pretended she was true to the crown of France. And this was the true secret of cardinal Mazarin's carrying on that war so feebly as he did, to gratify the queen-mother on the one hand, and his own covetousness on the other; for the less public expence was made, he had the greater occasions of enriching himself, which was all he thought on. The Portuguese being thus, as they thought, cast off by France, were very apprehensive of falling under the Castilians, who, how weak soever they were in opposition to France, yet were like to be too hard for them, when they had nothing else on their hands. So vast offers were made, if the king would marry their Infanta, and take them under his protection. Monk was the more encouraged to entertain the proposition, because some pretended that, in the beginning of the war of Portugal, king Charles had entered into a negotiation for a marriage between his son and this infanta. And the veneration paid his memory was then so high, that every thing he had projected was esteemed sacred. Monk promised to serve the interests of Portugal; and that was, as sir Robert Southwell told me, the first step made in that matter. Soon after the king came into England, an embassy of congratulation came from thence, with orders to negotiate that business. The Spanish ambassador, who had a pretension of merit from the king in behalf of that crown, since they had received and entertained him at Brussels, when France had thrown him off, set himself much against this match; and among other things affirmed, that the infanta was incapable of having children. But this was little considered. The Spaniards are not very scrupulous in affirming any thing that serves their ends: and this marriage was like to secure the kingdom of Portugal. So it was no wonder that he opposed it; and little regard was had to all that he said to break it *.

* The enemies of the earl of Clarendon have suggested that the proposal of the Portuguese Infanta to Charles as a suitable wife originated with that statesman; and that he did so because, being aware that she was incapable of having issue, he should thus secure the throne to the children of his daughter by the duke of York. It is true

At this time Monsieur Fouquet was gaining an ascendant in the councils of France, cardinal Mazarin falling then into a languishing, of which he died a year after. He sent one over to the king with a project of an alliance between France and England. He was addressed first to the earl of Clarendon, to whom he enlarged on all the heads of the scheme he had brought, of which the match with Portugal was a main article. And, to make all go down the better, Fouquet desired to enter into a particular friendship with the earl of Clarendon, and sent him the offer of 10,000*l.*, and assured him of the renewing the same present every year. The lord Clarendon told him, he would lay all that related to the king faithfully before him, and give him his answer in a little time; but for what related to himself, he said, he served a great and bountiful master, who knew well how to support and reward his servants: he would ever serve him faithfully; and, because he knew he must serve those from whom he accepted the hire, therefore he rejected the offer with great indignation. He laid before the king the heads of the proposed alliance, which required much consultation: but in the next place he told both the king and his brother what had been offered to himself. They both advised him to accept of it. "Why," said he, "have you a mind that I should betray you?" The king answered, he knew nothing could corrupt him. "Then," said he, "you know me better than I do myself: for if I take the money I shall find the sweet of it, and study to have it continued to me by deserving it." He told them how he had rejected the offer, and very seriously warned the king of the danger he saw he might fall into if he suffered any of those, who served him, to be once pensioners to other princes. Those presents were made only to bias them in their councils, and to discover secrets by their means; and if the king gave way to it, the taking money would soon grow to a habit, and spread like an infection through the whole court *.

As the motion for the match with Portugal was carried on, an incident of an extraordinary nature happened in the court. The earl of Clarendon's daughter, being with child, and near her time, called upon the duke of York to own his marriage with her. She had been maid of honour to the princess royal; and the duke, who was even to his old age of an amorous disposition, tried to gain her to comply with his desires. She managed the matter with so much address, that in conclusion he married her. Her father did very solemnly protest, that he knew nothing of the matter, till now that it broke out †. The duke thought to have

that Clarendon advocated this marriage with the infanta, but it was only consistently with the advice he had always offered to the king; an advice he probably urged more strenuously, fearing to be suspected of the motive which, after all, was attributed to him; a degree of culpable timidity, of which he afterwards felt the effect when one of the charges against him was, that he promoted a matrimonial alliance with a Roman Catholic princess. There is no valid reason to believe that the match was not first suggested by the desire of the Portuguese court; it was the interest of that country, threatened as it was by the superior powers of Spain and France to obtain England as a protective ally. The Continuation of Clarendon's Life states this as the truth, and that the project was first mentioned to the king by the earl of Manchester. How much the match was desired by the Portuguese is demonstrated by the magnificence of the dowry, and the advantages given to England upon the completion of the marriage. These were 500,000*l.* in money; the possession of Tangier upon the African coast of the Mediterranean, and the privilege of a free trade to their colonies in the East Indies and Brazil; to raise the dowry, the queen-mother of Portugal sold her jewels, much of her plate, and borrowed those belonging to the churches and monasteries. The progress of this matrimonial negotiation, and the intrigues of the Spanish ambassador and the earl of Bristol to prevent it, are fully related in the Continuation of Clarendon's Life, ii. 77, 95.—Wood's Athenæ Oxon, ii. 580; the last authority erroneously hints, that the earl of Bristol was ill used.

* This anecdote of Clarendon's integrity is related also in the Continuation of his Life, quoted in the last note.

† This statement of Clarendon's ignorance of his daughter's marriage is confirmed by various authorities. The proceedings attendant upon its discovery are fully narrated in the "Continuation of Clarendon's Life," ii. 27. Clarendon, it seems, having the prospect of a suitable alliance for his daughter, desired her to return to England from her attendance upon the princess of Orange. Upon her arrival, the duke of York informed the king of her being his wife, and that she was then pregnant. Charles was sure that Clarendon knew nothing of this, and with a kindness not unusual with him, sent the chancellor's intimate friends to break to him the intelligence. Clarendon was overcome with a passion of grief and indignation, and told the king, who kindly arrived to converse with him, before the interview was over, that as a privy councillor it was his duty to advise his majesty to send his daughter to the Tower, and that he would, in his place in parliament, support any measure that might be introduced for her punishment. The duke was firm in his resolution to acknowledge and abide by his union with the chancellor's daughter, until sir Charles Berkeley, mentioned in a previous note, declared that he himself had been criminally connected with her; a calumny he invented to ingratiate himself with those opposed to the match; and which he as readily confessed to be false, when he saw the current of opposition had ceased. The duchess in the mean time was delivered of a son in the presence of the marchioness of Ormond, the countess of Sunderland, and the bishop of Winchester; in answer to whose queries she protested, whilst in anguish, that she was faithful to the duke, and that he was the father of the child. The most inveterate opponent of the marriage was the queen dow-

shaken her from claiming it by great promises, and as great threatenings. But she was a woman of a great spirit. She said, she was his wife, and would have it known that she was so, let him use her afterwards as he pleased. Many discourses were set about upon this occasion; but the king ordered some bishops and judges to peruse the proofs she had to produce: and they reported that, according to the doctrine of the gospel, and the law of England, it was a good marriage. So it was not possible to break it, but by trying how far the matter could be carried against her for marrying a person so near the king without his leave. The king would not break with the earl of Clarendon: and so he told his brother, he must drink as he brewed, and live with her whom he had made his wife. All the earl of Clarendon's enemies rejoiced at this; for they reckoned, how much soever it seemed to raise him at present, yet it would raise envy so high against him, and make the king so jealous of him, as being more in his brother's interests than in his own, that they looked on it as that which would end in his ruin. And he himself thought so, as his son told me; for, as soon as he knew of it, and when he saw his son lifted up with it, he protested to him, that he knew nothing of the matter till it broke out: but added, that he looked on it as that which must be all their ruin sooner or later.

Upon this I will digress a little to give an account of the duke's character, whom I knew for some years so particularly, that I can say much upon my own knowledge. He was very brave in his youth, and so much magnified by Monsieur Turenne, that, till his marriage lessened him, he really clouded the king, and passed for the superior genius. He was naturally candid and sincere, and a firm friend, till affairs and his religion wore out all his first principles and inclinations. He had a great desire to understand affairs; and in order to that he kept a constant journal of all that passed, of which he shewed me a great deal. The duke of Buckingham gave me once a short but severe character of the two brothers. It was the more severe, because it was true. "The king," he said, "could see things if he would, and the duke would see things if he could." He had no true judgment, and was soon determined by those whom he trusted: but he was obstinate against all other advices. He was bred with high notions of the kingly authority, and laid it down for a maxim, that all who opposed the king were rebels in their hearts *. He was perpetually in one amour or other, without being very nice in his choice: upon which the king said once, "he believed his brother had his mistresses given him by his priests for penance †." He gave me this account of his changing his religion: When he escaped out of the hands of the earl of Northumberland, who had the charge of his education, trusted to him by the parliament, and had used him with great respect, all due care was taken, as soon as he got beyond

ager, who came over to England more zealously to enforce her opposition; and who declared, that if ever the duchess was admitted at Whitehall, she would at the same instant quit the palace. Her opposition ceased suddenly, and on the eve of her return to France she was reconciled both to the chancellor and his daughter. This sudden change appears to have arisen from a message to her from the French ministry, intimating that they should be better pleased if she would be reconciled to her two sons, and those whom they most trusted. The particulars are very minutely detailed in the authority from which this is abstracted.

* Ignorance and obstinacy were the peculiar failings of James the Second's mind. All his mistakes, false opinions, and crimes, are traceable to those mental deficiencies—deficiencies that probably arose from the imperfect education afforded him. Clarendon says that, as a youth, he was entirely dependent upon his mother; "and there was not that care for the general part of his education, nor that indulgence to his person, as ought to have been; moreover, the queen's own carriage and behaviour to him was at least severe enough."—Clarendon's Autobiography, i. 122.

† This witticism was directed against Catherine Sedley, who serves as an example that superiority of mental accomplishments can retain an influence over man more enduring than beauty. She preserved her place in James's affections some time after his obtaining the crown, when he created her countess of Dorchester. She bore him several children, and he continued to visit her frequently. "This," says sir John Reresby, "gave the queen a great deal of uneasiness, but there was no help for it, until at length her majesty's party and priests did so importune the king, and so pressingly remonstrated with him on the sin of this amour, and the disparagement it would throw upon their religion, that it was reported he sent her word, either to retire into France, or to expect to have her pension of 4000*l.* a-year withdrawn."—Reresby's Memoirs, 230. She appears to have retired into Ireland, but soon returned.—Clarendon's Correspondence, i. 544; and, from the same authority, we learn, that, in 1689, she kept up an epistolary correspondence with him when in exile, which was intercepted.—Ibid. ii. 279. For this she was in danger of impeachment.—Dalrymple's Memoirs, ii. 186. When entirely separated from James, she married David, earl of Portmore. She died in 1717. Her father, sir Charles Sedley, though one of the greatest profligates of his period, highly resented his daughter's dishonour. A scene between them is admirably imagined in the novel of "Walter Colyton." He exerted himself most strenuously to effect the expulsion of James, caustically observing that, "in gratitude, he would do his utmost to make his majesty's daughter a queen, as he had made his own a countess."—Grainger's Biograph. Hist. vi. 154.

sea, to form him to a strict adherence to the church of England: among other things much was said of the authority of the church, and of the tradition from the apostles in support of episcopacy: so that, when he came to observe that there was more reason to submit to the Catholic church than to one particular church, and that other traditions might be taken on her word, as well as episcopacy was received among us, he thought the step was not great, but that it was very reasonable to go over to the church of Rome; and Doctor Steward having taught him to believe a real but inconceivable presence of Christ in the sacrament, he thought this went more than half way to transubstantiation. He said, that a nun's advice to him to pray every day, that, if he was not in the right way, God would set him right, did make a great impression on him; but he never told me when or where he was reconciled. He suffered me to say a great deal to him on all these heads. I shewed the difference between submission and obedience in matters of order and indifferent things, and an implicit submission from the belief of infallibility. I also shewed him the difference between a speculation of a mode of Christ's presence, when it rested in an opinion, and an adoration founded on it: though the opinion of such a presence was wrong, there was no great harm in that alone: but the adoration of an undue object was idolatry. He suffered me to talk much and often to him on these heads; but I plainly saw, it made no impression; and all that he seemed to intend by it was, to make use of me as an instrument to soften the aversion, that people began to be possessed with to him. He was naturally eager and revengeful; and was against the taking off any, that set up in an opposition to the measures of the court, and who by that means grew popular in the House of Commons. He was for rougher methods. He continued for many years dissembling his religion, and seemed zealous for the church of England: but it was chiefly on design to hinder all propositions, that tended to unite us among ourselves. He was a frugal prince, and brought his court into method and magnificence; for he had 100,000*l.* a-year allowed him. He was made high admiral, and he came to understand all the concerns of the sea very particularly. He had a very able secretary about him, sir William Coventry, a man of great notions and eminent virtues, the best speaker in the House of Commons, and capable of bearing the chief ministry, as it was once thought he was very near it. The duke found all the great seamen had a deep tincture from their education: they both hated popery, and loved liberty. They were men of severe tempers, and kept good discipline *. But in order to the putting the fleet into more confident hands, the duke began a method of sending pages of honour, and other young persons of quality, to be bred to the sea. And these were put in command, as soon as they were capable of it, if not sooner. This discouraged many of the old seamen, when they saw in what a channel advancement was like to go; who upon that left the service, and went and commanded merchantmen. By this means the virtue and discipline of the navy is much lost. It is true, we have a breed of many gallant men, who do distinguish themselves in action; but it is thought, the nation has suffered much by the vices and disorders of those captains who have risen by their quality, more than by merit or service.

The duchess of York was a very extraordinary woman. She had great knowledge, and a lively sense of things. She soon understood what belonged to a princess, and took state on her rather too much. She wrote well; and had begun the duke's life, of which she shewed me a volume. It was all drawn from his journal, and he intended to have employed me in carrying it on. She was bred to great strictness in religion, and practised secret confession. Morley told me, he was her confessor. She began at twelve years old, and continued under his direction, till, upon her father's disgrace, he was put from the court. She was generous and friendly, but was too severe an enemy.

* James found the seamen were actuated by the same hatred against the papal religion, when, as king, he used every method to introduce that creed among his subjects. "The king," says sir John Reresby, "July 13, 1687, went down to the Thames' mouth, as pretended, only to take a view of the fleet; but the real cause was to appease the seamen, who were ready to mutiny, because some of their captains had publicly celebrated mass in their ships. The king flattered them all he could; went from ship to ship; called them his children; said he had nothing to do with their religion, and that he granted liberty of conscience to all; but that he expected they would behave like men of honour and courage when there should be occasion for their service. They were so far gratified that all the priests were ordered on shore."—Reresby's Memoirs, 266.

The king's third brother, the duke of Gloucester, was of a temper different from his two brothers. He was active, and loved business, was apt to have particular friendships, and had an insinuating temper, which was generally very acceptable. The king loved him much better than the duke of York; but he was uneasy when he saw there was no post left for him, since Monk was general. So he spoke to the earl of Clarendon, that he might be made lord treasurer. But he told him, it was a post below his dignity. He would not be put off with that, for he could not bear an idle life, nor to see his brother at the head of the fleet, when he himself had neither business nor dependence. But the mirth and entertainments of that time raised his blood so high, that he took the small-pox, of which he died, much lamented by all, but most particularly by the king, who was never in his whole life seen so much troubled, as he was on that occasion. Those who would not believe he had much tenderness in his nature, imputed this rather to his jealousy of the brother that survived, since he had now lost the only person that could balance him *. Not long after him the princess royal died likewise of the small-pox; but was not much lamented. She had lived in her widowhood for some years with great reputation, kept a decent court, and supported her brothers very liberally, and lived within bounds. But her mother, who had the art of making herself believe any thing she had a mind to, upon a conversation with the queen mother of France, fancied the king of France might be inclined to marry her: so she wrote to her to come to Paris. In order to that, she made an equipage far above what she could support: so she ran herself into debt, sold all her jewels, and some estates that were in her power as her son's guardian; and was not only disappointed of that vain expectation, but fell into some misfortunes, that lessened the reputation she had formerly lived in. Upon her death it might have been expected, both in justice and gratitude, that the king would in a most particular manner have taken her son, the young prince of Orange, into his protection: but he fell into better hands; for his grandmother became his guardian, and took care both of his estate and his education †.

Thus two of the branches of the royal family were cut off soon after the Restoration. And so little do the events of things answer the first appearances, that a royal family of three princes and two princesses, all young and graceful persons, that promised a numerous issue, did moulder away so fast, that now, while I am writing, all is reduced to the person of the queen, and the duchess of Savoy. The king had a very numerous issue, though

* Henry, duke of Gloucester, sometimes called Henry of Oatlands, being born at that one of the twenty-four palaces of Charles the First, was the youngest child of this monarch. He was but seven years old when his father was executed; yet, young as he was, the advice and commands imparted to him at their last interview, sank into his mind, and were never forgotten. This pathetic parting has been described by Mr. Herbert, who attended Charles at the time. It was on the day previous to his decapitation. The duke came with his sister, the princess Elizabeth. "The princess being the elder, was the most sensible of her royal father's condition, as appeared by her sorrowful look and excessive weeping. Her little brother seeing her weep, took the like impression, though by reason of his tender age, he could not have the like apprehension. The king raised them both from off their knees, kissed them, gave them his blessing, and setting them on his knees, admonished them concerning their duty and loyal observance to the queen, their mother; the prince that was his successor, and love to the duke of York, and his other relations. The king then gave them all his jewels, save the George he wore, which was cut in an onyx with great curiosity, and set about with twenty-one fair diamonds, and the reverse set with the like number; and then again kissing his children, had such pretty and pertinent answers from them both, as drew tears of love and joy from his eyes: and then praying God Almighty to bless them, he turned about, expressing a tender and fatherly affection. Most sorrowful was this parting: and the young prince shedding tears, and crying most lamentably, moved others to pity that formerly were hard-hearted. And at the opening the chamber-door, the king returned hastily from the window, kissed them, and so parted."—Wood's Athenæ Oxon. ii. 700. Clarendon says, that Charles the First repeatedly impressed upon the youthful duke, that whatever attempts might be made to induce him to accept the crown to the prejudice of his elder brothers, or to induce him to change his religion, he must never assent to the proposals. A command that the duke, young as he then was, quoted and firmly adhered to when his mother, some years after, used her influence to convert him to the papal creed.—Clarendon's Hist. of Rebellion, iii. 52, 425. One of Clarendon's friends advised that the duke, who was only called "Master Harry," should be bound out to some good trade, that so he might get his bread honestly."—South's Sermons, 448.—He died in 1660, aged rather more than twenty years.

† I do not know what Burnet intended by the "misfortunes" that happened to the princess of Orange lessening her reputation. Whatever they were they could not lessen her merit as the strenuous alleviator of the distress incident to the exile of her brothers. She is described by other authorities as mild, patient, affectionate, and firm-minded. Her husband and herself fell victims to the same eruptive disease. She had only just arrived in England to congratulate her brother upon his restoration, when the fatal disorder seized her. She was buried on the last day of 1660, in Henry the Seventh's chapel.—Fenton's Observations on Waller.—Walker's Hist. o Independency, iv. 99.—Clarendon's Hist. of Rebe llion.

none by his queen. The duke had by both his wives, and some irregular amours, a very numerous issue. And the present queen has had a most fruitful marriage as to issue, though none of them survive. The princess Henrietta was so pleased with the diversion of the French court, that she was glad to go thither again to be married to that king's brother.

As the treaty with Portugal went on, France did engage in the concerns of that crown, though they had by treaty promised the contrary to the Spaniards. To excuse their perfidy, count Schomberg, a German by birth, and a Calvinist by his religion, was ordered to go thither, as one prevailed with by the Portugal ambassador, and not as sent over by the orders of the court of France. He passed through England to concert with the king the matters of Portugal, and the supply that was to be sent thither from England. He told me, the king had admitted him into great familiarities with him at Paris. He had known him first at the Hague, for he was the prince of Orange's particular favourite; but had so great a share in the last violent actions of his life, seizing the states, and in the attempt upon Amsterdam, that he left the service upon his death, and gained so great a reputation in France, that, after the prince of Conde and Turenne, he was thought the best general they had. He had much free discourse with the king, though he found his mind was so turned to mirth and pleasure, that he seemed scarce capable of laying any thing to heart. He advised him to set up for the head of the protestant religion: for though he said to him, he knew he had not much religion, yet his interests led him to that. It would keep the princes of Germany in a great dependence on him, and make him the umpire of all their affairs; and would procure him great credit with the Huguenots of France, and keep that crown in perpetual fear of him. He advised the king to employ the military men that had served under Cromwell, whom he thought the best officers he had ever seen: and he was sorry to see they were dismissed, and that a company of wild young men were those the king relied on. But what he pressed most on the king, as the business then in agitation, was concerning the sale of Dunkirk. The Spaniards pretended it ought to be restored to them, since it was taken from them by Cromwell, when they had the king and his brothers in their armies: but that was not much regarded. The French pretended that, by their agreement with Cromwell, he was only to hold it till they had repaid the charge of the war: therefore they, offering to lay that down, ought to have the place delivered to them. The king was in no sort bound by this: so the matter under debate was, whether it ought to be kept or sold? The military men, who were believed to be corrupted by France, said, the place was not tenable; that in time of peace it would put the king to a great charge, and in time of war it would not quit the cost of keeping it. The earl of Clarendon said, he understood not those matters, but appealed to Monk's judgment, who did positively advise the letting it go for the sum that France offered. To make the business go the easier, the king promised, that he would lay up all the money in the Tower; and that it should not be touched, but upon extraordinary occasions. Schomberg advised, in opposition to all this, that the king should keep it; for, considering the naval power of England, it could not be taken. He knew that, though France spoke big, as if they would break with England unless that was delivered up, yet they were far from the thoughts of it. He had considered the place well, and he was sure it could never be taken, as long as England was master of the sea. The holding it would keep both France and Spain in a dependence upon the king. But he was singular in that opinion: so it was sold; and all the money that was paid for it, was immediately squandered away among the mistress's creatures.

By this the king lost his reputation abroad. The court was believed venal. And because the earl of Clarendon was in greatest credit, the blame was cast chiefly on him; though his son assured me, he had kept himself out of that affair entirely *. The cost bestowed on that

* By Monsieur d'Estrade's letters, published some years after the author's death, it should seem, that the earl of Clarendon had a considerable share in that negotiation.

The eleventh article in the impeachment of the earl of Clarendon was, "that he advised and effected the sale of Dunkirk to the French king, being part of his majesty's dominions; together with the ammunitions, artillery, and stores there, and for no greater value, than the said ammunitions, artillery, and stores were worth."—State Trials, ii. 557. fol. In the Continuation of Lord Clarendon's Life, there is a very particular account of his lordship's conduct in this transaction. In this authority it is decidedly stated, that he was opposed to the sale of the town, a sale the proposal of which originated with the earl of Southampton, lord treasurer. The proposition was supported by the duke of Albemarle, the earl of Sandwich,

place since that time, and the great prejudice we have suffered by it, has made that sale to be often reflected on very severely. But it was pretended that Tangier, which was offered as a part of the portion that the infanta of Portugal was to bring with her, was a place of much greater consequence. Its situation in the map is indeed very eminent. And if Spain had been then in a condition to put any restraint on our trade, it had been of great use to us; especially, if the making a mole there had been more practicable, than it proved to be. It was then spoken of in the court in the highest strains of flattery. It was said, this would not only give us the entire command of the Mediterranean trade, but it would be a place of safety for a squadron to be always kept there, for securing our West and East India trade. And such mighty things were said of it, as if it had been reserved for the king's reign to make England as glorious abroad, as it was happy at home: though since that time we have never been able, either by force or treaty, to get ground enough round the town from the Moors, to maintain the garrison. But every man that was employed there studied only his own interest, and how to rob the king. If the money, that was laid out in the mole at different times, had been raised successively, as fast as the work could be carried on, it might have been made a very valuable place. But there were so many discontinuings, and so many new undertakings, that after an immense charge the court grew weary of it: and in the year 1688 they sent a squadron of ships to bring away the garrison, and to destroy all the works.

This matter of the king's marriage with the infanta of Portugal was at last concluded. The earl of Sandwich went for her, and was the king's proxy in the nuptial ceremony. The king communicated the matter both to the parliament of England, and Scotland. And so strangely were people changed, that though they all had seen the mischievous effects of a popish queen in the former reign, yet not one person moved against it in either parliament, except the earl of Cassilis in Scotland; who moved for an address to the king to marry a protestant. He had but one to second him: so entirely were men run from one extreme to another.

When the queen was brought over, the king met her at Winchester in summer 1662. The archbishop of Canterbury came to perform the ceremony: but the queen was bigoted to such a degree, that she would not say the words of matrimony, nor bear the sight of the archbishop. The king said the words hastily: and the archbishop pronounced them married persons. Upon this some thought afterwards to have dissolved the marriage, as a marriage only *de facto*, in which no consent had been given. But the duke of York told me, they were married by the lord Aubigny, according to the roman ritual, and that he himself was one of the witnesses: and he added, that, a few days before he told me this, the queen had said to him, that she heard some intended to call her marriage in question; and that, if that was done, she must call on him as one of her witnesses to prove it. I saw the letter that the king wrote to the earl of Clarendon the day after their marriage, by which it appeared very plainly that the marriage was consummated, and that the king was well pleased with her. The king himself told me, she had been with child: and Willis the great physician told Dr. Lloyd, from whom I had it, that she had once miscarried of a child, which was so far advanced, that, if it had been carefully looked to, the sex might have been distinguished. But she proved a barren wife, and was a woman of a mean appearance, and of no agreeable temper: so that the king never considered her much. And she made ever after but a very mean figure. For some time the king carried things decently, and did not visit his

sir George Carteret, all military authorities; by both secretaries of state, by the duke of York and the king. When the subject was finally debated, the chancellor being confined by the gout, all the above-named magnates met in his chamber. Upon their entrance, the earl of Southampton said to the king jesting, and alluding to the chancellor's dislike of the measure, that he had better take the chancellor's staff from him, otherwise his head might suffer. The only privy councillor who agreed with Clarendon in opposition to this measure was the earl of St. Albans.—Continuation of Clarendon's Life, ii. 204. The popular opinion was against Clarendon, and his residence having been enlarged soon after the town was sold, it was long satirised by the name of Dunkirk House, an intimation that the bribe he received to consent to the sale had enabled him to increase the size of his dwelling. Andrew Marvel severely attacked the earl in the House of Commons, and in one of his satires, for he was a poet as well as a legislator, he thus apostrophises him:

"Fools-coated gownman! Sells, to fight with Hans,
Dunkirk; dismantling Scotland, quarrels France."

These lines are allusive to the war with Holland, and the dismantling of the Scotch forts.

mistress openly. But he grew weary of that restraint; and shook it off so entirely, that he had ever after that mistress to the end of his life, to the great scandal of the world, and to the particular reproach of all that served about him in the church. He usually came from his mistress's lodgings to church, even on sacrament days. He held as it were a court in them: and all his ministers made application to them. Only the earls of Clarendon and Southampton would never so much as make a visit to any of them, which was maintaining the decencies of virtue in a very solemn manner. The lord Clarendon put the justice of the nation in very good hands; and employed some who had been on the bench in Cromwell's time, the famous Sir Matthew Hale in particular.

The business of Ireland was a harder province. The Irish that had been in the rebellion had made a treaty with the duke of Ormond, then acting in the king's name, though he had no legal power under the great seal, the king being then a prisoner. But the queen-mother got, as they gave out, the crown of France to become the guarantee for the performance. By the treaty they were to furnish him with an army, to adhere to the king's interests, and serve under the duke of Ormond; and for this they were to be pardoned all that was passed, to have the open exercise of their religion, and a free admittance into all employments, and to have a free parliament without the curb of Poynings' law.* But after the misfortune at Dublin, they set up a supreme council again, and refused to obey the duke of Ormond; in which the pope's nuncio conducted them. After some disputes, and that the duke of Ormond saw he could not prevail with them to be commanded by him any more, he left Ireland. And Cromwell came over, and reduced the whole country, and made a settlement of the confiscated estates, for the pay of the undertakers for the Irish war, and of the officers that had served in it. The king had in his declaration from Breda promised to confirm the settlement of Ireland. So now a great debate arose between the native Irish and the English settled in Ireland. The former claimed the articles that the duke of Ormond had granted them. He in answer to this said, they had broken them first on their part, and so had forfeited their claim to them. They seemed to rely much on the court of France, and on the whole popish party abroad, as they were the most considerable branch of it here at home. But England did naturally incline to support the English interests. And, as that interest in Ireland had gone in very unanimously to the design of the king's restoration, and had merited much on that account, so they drew over the duke of Ormond to join with them, in order to an act confirming Cromwell's settlement. Only a court of claims was set up, to examine the pretensions of some of the Irish, who had special excuses for themselves, why they should not be included in the general forfeiture of the nation. Some were under age: others were travelling, or serving abroad; and many had distinguished themselves in the king's service, when he was in Flanders; chiefly under the duke of York, who pleaded much for them, and was always depended on by them, as their chief patron. It was thought most equitable, to send over men from England, who were not concerned in the interests or passions of the parties of that kingdom, to try those claims. Their proceedings were much cried out on: for it was said, that every man's claim, who could support it with a good present, was found good, and that all the members of that court came back very rich. So that, though the Irish thought they had not justice enough done them, the English said they had too much. When any thing was to be proved by witnesses, sets of them were hired, to depose according to the instructions given them. This was then cried out on, as a new scene of wickedness, that was then opened, and which must in the end subvert all justice and good government. The infection has spread since that time, and crossed the sea. And the danger of being ruined by false witnessses has become so terrible, that there is no security against it, but from the sincerity of juries. And if these come to be packed, then all men may be soon at mercy, if a wicked government should set on a violent prosecution, as has happened oftener than once. I am not instructed enough in the affairs of Ireland, to carry this matter into farther particulars. The English

* This law was so named from its being passed by the Irish parliament, at the time sir Edward Poynings was lord lieutenant. It is among the Irish statutes, 10 Hen. VII. c. 2, and enacts that all statutes, previous to the passing of that act, which were in force in England should have equal force in Ireland.—Blackstone's Commentaries, i. 103.

interest was managed chiefly by two men of a very indifferent reputation: the earls of Anglesey and Orrery *. The chief manager of the Irish interest was Richard Talbot, one of the duke's bed-chamber men, who had much cunning, and had the secret both of his master's pleasures, and of his religion, for some years, and was afterwards raised by him to be earl and duke of Tyrconnel. Thus I have gone over the several branches of the settlement of matters after the Restoration. I have reserved the affairs of the church last, as those about which I have taken the most pains to be well informed; and which I do therefore offer to the reader with some assurance, and on which I hope due reflection will be made.

At the Restoration, Juxon, the most ancient and most eminent of the former bishops, who had assisted the late king in his last hours, was promoted to Canterbury, more out of decency, than that he was then capable to fill that post; for as he was never a great divine, so he was now superannuated. Though others have assured me, that after some discourses with the king he was so much struck with what he observed in him, that upon that he lost both heart and hope. The king treated him with outward respect, but had no great regard to him. Sheldon and Morley were the men that had the greatest credit. Sheldon was esteemed a learned man before the war: but he was now engaged so deep in politics, that scarce any prints of what he had been remained. He was a very dexterous man in business, had a great quickness of apprehension, and a very true judgment. He was a generous and charitable man. He had a great pleasantness of conversation, perhaps too great. He had an art, that was peculiar to him, of treating all that came to him in a most obliging manner: but few depended much on his professions of friendship. He seemed not to have a deep sense of religion, if any at all: and spoke of it most commonly as of an engine of government, and a matter of policy. By this means the king came to look on him as a wise and honest clergyman. Sheldon was at first made bishop of London, and was upon Juxon's death promoted to Canterbury†. Morley had been first known to the world as a friend of the lord Falkland's: and that was enough to raise a man's character. He had continued for many years in the lord Clarendon's family, and was his particular friend. He was a Calvinist with relation to the Arminian points, and was thought a friend to the puritans before the wars: but he took care after his promotion to free himself from all suspicions of that kind. He was a pious and charitable man, of a very exemplary life, but extremely passionate, and very obstinate. He was first

* Arthur Annesley, earl of Anglesea, is one of those characters that the historian cannot record as either a faithful, or as a profligate minister of the government. There is a full and interesting narrative of his life in the Biographia Britannica, vindicating him successfully from the severe reflections of Burnet and Wood, yet, as is observed by Dr. Kippis, we search in vain for a perfect consistency in the earl of Anglesea's character. A man who began with appearing for Charles the First, and then was zealous for the parliament; who was president of the republican council of state, and ardent for the restoration of monarchy; who could maintain his post for twenty-two years of such a reign as that of Charles the Second, and afterwards manage so as to be thought of for lord chancellor to king James the Second, must have been of a very accommodating turn of mind. He wrote a very spirited remonstrance to Charles the Second, warning him against an infraction of the laws; but he did not protest with other lords, in 1675, against the Test Act; yet he voted, though alone, against the Irish Plot; protested also, without a companion, against the attainder of the earl of Strafford; and voted with the earl of Clare against passing the bill. He will be noticed in future pages. He died in 1686, aged seventy-three.

Roger Boyle, earl of Orrery, though a licentious liver, was a good soldier, a discreet statesman, and, though an indifferent author, yet, was a bountiful patron of literature. He died in 1679, aged fifty-nine. For more information relative to Irish affairs at this period, the reader may consult, with advantage, Morice's Memoirs of the Earls of Orrery; Budgell's Memoirs of the Boyles; Carte's Life of the Duke of Ormond; Cox's History of Ireland. See also article "Boyle," in the Biographia Britannica.

† Dr. Gilbert Sheldon had the merit and satisfaction of winning the highest distinctions of his profession by the exertion of his unaided talents. His father was a favourite domestic of Gilbert earl of Shrewsbury. He rapidly distinguished himself, and having obtained the family chaplaincy of lord-keeper Coventry, was, by that great lawyer, recommended to the notice of Charles the First, who made him chaplain in ordinary, and clerk of his closet. He had previously been elected warden of All Souls' College. Upon the Restoration, he was preferred to the deanery of the chapel royal, and finally succeeded Dr. Juxon, in the bishopric of London, and archbishopric of Canterbury. He had claims upon the gratitude of Charles the Second, for Clarendon informs us, that during that king's exile, Sheldon supplied him with money from his own private funds. He was born in 1598, and died in 1677. From the time of his being made bishop of London, to his decease, his brother told Anthony Wood, he had spent 66,000*l.* in charities, and public benefits. The erection of the theatre at Oxford cost him 16,000*l.* and 2,000*l.* more for a fund to keep it in repair. Among all his acquaintance he was distinguished for his learning, benevolence, and prudence. Sir Francis Wenman, who met him frequently at lord Falkland's, often said, "Dr. Sheldon was born and bred to be archbishop of Canterbury."—Wood's Athenæ Oxon. ii. 162.—Clarendon's Life, i. 125.—Biographia Britannica.

made bishop of Worcester *. Doctor Hammond, for whom that see was designed, died a little before the Restoration, which was an unspeakable loss to the church: for, as he was a man of great learning, and of most eminent merit, he having been the person, that during the bad times had maintained the cause of the church in a very singular manner, so he was a very moderate man in his temper, though with a high principle; and probably he would have fallen into healing counsels. He was also much set on reforming abuses, and for raising in the clergy a due sense of the obligations they lay under. But by his death Morley was advanced to Worcester: and not long after he was removed to Winchester, void by Duppa's death, who had been the king's tutor, though no way fit for that post; but he was a meek and humble man, and much loved for the sweetness of his temper; and would have been more esteemed, if he had died before the Restoration; for he made not that use of the great wealth that flowed in upon him, that was expected. Morley was thought always the honester man of the two, as Sheldon was certainly the abler man †.

The first point in debate was, whether concessions should be made, and pains taken to gain the dissenters, or not; especially the presbyterians. The earl of Clarendon was much for it; and got the king to publish a declaration soon after his Restoration concerning ecclesiastical affairs, to which if he had stood, very probably the greatest part of them might have been gained. But the bishops did not approve of this: and after the service they did that lord in the duke of York's marriage, he would not put any hardship on those who had so signally obliged him. This disgusted the lord Southampton, who was for carrying on the design, that had been much talked of during the wars, of moderating matters both with relation to the government of the church, and the worship and ceremonies: which created

* Dr. George Morley, though of more gentle extraction than his friend Sheldon, was like him chiefly indebted to his own merits for his success in life. His father died when he was but six years old, and his mother left him an orphan before he was twelve—an orphan without any patrimony, this being lost by his father rendering himself liable for the debts of others. After passing through the usual university degrees with distinction, he was invited to accept the domestic chaplaincy of the earl of Caernarvon, and remained in that nobleman's family, which, says Clarendon, needed a wise and wary director, until he was forty-three. He was deeply versed in theological literature, was a good classic scholar, but was even still more eminent for his wit. This dangerous gift, though used by him with great discretion, and never unkindly, was too frequently interpreted to his disadvantage. Thus, being asked by a grave country gentleman, who was desirous of hearing their tenets, "what the Arminians held," Morley laughingly replied, that "they held all the best bishoprics and deaneries in England," and this was seriously disseminated as Mr. Morley's definition of Arminianism. Throughout his life he was intimate with the chief literary characters of that period. When a young man, being one of those particularly noticed by "rare Ben Jonson," he was always considered as one of those familiarly known as his "sons." Lord Falkland, the earl of Clarendon, Chillingworth, and Edmund Waller, were among the number of his English friends; and whilst residing in Holland, whither he retired upon the death of Charles the First, he became intimate with Heinsius, Salmasius, Bochart, Rivetius, &c. Upon the Restoration he was preferred successively to the deanery of Christchurch, and the bishoprics of Worcester and Winchester. Upon translating him to the latter, Charles justly observed, "he would never be the richer for it;" for besides a munificently charitable disposition, he had a taste for building. He spent 8,000*l.* upon Farnham Castle; 4,000*l.* upon Winchester House, Chelsea; gave an excellent library, still remaining, to Winchester Cathedral, and distributed his benevolences profusely. He rose regularly at five in the morning, and retired to his bed nightly at eleven. In the coldest weather, he never had a fire when he arose, or a warming-pan when he went to bed. He ate but once in the twenty-four hours. This abstemiousness and regularity preserved a good natural constitution: he passed from infancy to the grave, a space of seventy-four years, without being confined to his bed by sickness more than twice. He died in 1684. His writings are chiefly polemical; in the preface to a volume of his tracts, published in 1683, is a good account of the religious character of Anne Hyde, duchess of York, previous to her changing her communion. She had been under his care and tuition whilst he resided with the family at Antwerp.—Wood's Athenæ Oxon. ii. 770, fo.—Clarendon's Autobiography, i. 25.—Life of Waller, prefixed to his works,—Biographia Britannica.

† Dr. Henry Hammond was one of the greatest ornaments of the English church. He was a consistent, uncompromising royalist. Charles the First had him constantly in attendance until all his suite were removed.

His "Practical Catechism," and "Annotations upon the New Testament," are two of the best works in our voluminous theological literature. He died in 1660, aged fifty-five. His "Life," by Dr. Fell, contains a good deal of interesting information relative to the transactions of the reign of the first Charles. Wood gives him this extremely laudatory character. "Great were his natural abilities, greater his acquired; in the whole circle of the arts he was most accurate. He was also eloquent in the tongues; exact in ancient and modern writers; well-versed in philosophy, better in philology, and most learned in school divinity. He was a great master in church antiquity, made up of fathers, councils, ecclesiastical historians and liturgies, as may be seen at large in his most elaborate works.—Wood's Athenæ Oxon. ii. 245. Dr. Brian Duppa does not appear to have merited the censure for want of liberality passed upon him by Burnet. He built and liberally endowed almshouses at Richmond, in Surrey; remitted rent, &c. to his tenants, to the amount of 30,000*l.*; and bequeathed 16,000*l.* to various charitable and beneficent purposes. Other authorities also state him to have been well qualified for the place of tutor to Charles the Second; it is certain this monarch venerated his character, for, as the doctor lay upon his death-bed, the king knelt by his bedside to ask his blessing. He died in 1662.—Wood's Athenæ Oxon. ii. 269.—Biograph. Brit.—Grainger's Biograph Hist., &c.

some coldness between him and the earl of Clarendon, when the lord chancellor went off from those designs. The consideration that those bishops and their party had in the matter was this: the presbyterians were possessed of most of the great benefices in the church, chiefly in the city of London, and in the two universities. It is true, all that had come into the room of those who were turned out by the parliament, or by the visitors sent by them, were removed by the course of law, as men that were illegally possessed of other men's rights: and that, even where the former incumbents were dead, because a title originally wrong was still wrong in law. But there were a great many of them in very eminent posts, who were legally possessed of them. Many of these, chiefly in the city of London, had gone into the design of the Restoration in so signal a manner, and with such success, that they had great merit, and a just title to very high preferment. Now, as there remained a great deal of the old animosity against them, for what they had done during the wars, so it was said, it was better to have a schism out of the church than within it; and that the half-conformity of the puritans before the war, had set up a faction in every city and town between the lecturers and the incumbents; that the former took all methods to render themselves popular, and to raise the benevolence of their people, which was their chief subsistence, by disparaging the government both in church and state. They had also many stories among them, of the credit they had in the elections of parliament men, which they infused in the king, to possess him with the necessity of having none to serve in the church, but persons that should be firmly tied to his interest, both by principle, and by subscriptions and oaths. It is true, the joy then spread through the nation had got at this time a new parliament to be elected, of men so high and so hot, that unless the court had restrained them, they would have carried things much farther than they did, against all that had been concerned in the late wars: but they were not to expect such success at all times: therefore they thought it was necessary to make sure work at this time: and, instead of using methods to bring in the sectaries, they resolved rather to seek the most effectual ones for casting them out, and bringing a new set of men into the church. This took with the king, at least it seemed to do so. But though he put on an outward appearance of moderation, yet he was in another and deeper laid design, to which the heat of these men proved subservient, for bringing in of popery. A popish queen was a great step to keep it in countenance at court, and to have a great many priests going about the court making converts. It was thought, a toleration was the only method for setting it a going all the nation over. And nothing could make a toleration for popery pass, but the having great bodies of men put out of the church, and put under severe laws, which should force them to move for a toleration, and should make it reasonable to grant it to them. And it was resolved, that whatever should be granted of that sort should go in so large a manner, that papists should be comprehended within it. So the papists had this generally spread among them, that they should oppose all propositions for comprehension, and should animate the church party to maintain their ground against all the sectaries. And in that point they seemed zealous for the church. But at the same time they spoke of toleration, as necessary both for the peace and quiet of the nation, and for the encouragement of trade. And with this the duke was so possessed, that he declared himself a most violent enemy to comprehension, and as zealous for toleration. The king being thus resolved on fixing the terms of conformity to what they had been before the war, without making the least abatement or alteration, they carried on still an appearance of moderation, till the strength of the parties should appear in the new parliament.

So, after the declaration was set out, a commission was granted to twelve of a side, with nine assistants to each side, who were appointed to meet at the Savoy, and to consider on the ways of uniting both sides. At their first meeting, Sheldon told them, that those of the church had not desired this meeting, as being satisfied with the legal establishment: and therefore they had nothing to offer; but it belonged to the other side who moved for alterations, to offer both their exceptions to the laws in being, and the alterations that they proposed. He told them, they were to lay all they had to offer before them at once; for they would not engage to treat about any one particular, till they saw how far their demands went: and he said, that all was to be transacted in writing, though the others insisted on an amicable conference: which was at first denied:

yet some hopes were given of allowing it at last. Papers were upon this given in. The presbyterians moved, that bishop Usher's reduction should be laid down as a ground-work to treat on; that bishops should not govern their dioceses by their single authority, nor depute it to lay officers in their courts, but should in matters of ordination and jurisdiction take along with them the counsel and concurrence of the presbyters. They did offer several exceptions to the liturgy, against the many responses by the people; and they desired all might be made one continued prayer. They desired that no lessons should be taken out of the apocryphal books; that the psalms used in the daily service should be according to the new translation. They excepted to many parts of the office of baptism, that import the inward regeneration of all that were baptised. But as they proposed these amendments, so they did also offer a liturgy new drawn by Mr. Baxter. They insisted mainly against kneeling at the sacrament of the Lord's supper, chiefly against the imposing it: and moved that the posture might be left free, and that the use of the surplice, of the cross in baptism of god-fathers being the sponsors in baptism, and of the holy-days, might be abolished. Sheldon saw well what the effect would be of putting them to make all their demands at once. The number of them raised a mighty outcry against them, as people that could never be satisfied. But nothing gave so great an advantage against them, as their offering a new liturgy. In this they were divided among themselves. Some were for insisting only on a few important things, reckoning that, if they were gained, and a union followed upon that, it would be easier to gain other things afterwards. But all this was overthrown by Mr. Baxter, who was a man of great piety: and, if he had not meddled in too many things, would have been esteemed one of the learned men of the age: he wrote near two hundred books: of these, three are large folios: he had a very moving and pathetical way of writing, and was his whole life long a man of great zeal and much simplicity; but was most unhappily subtle and metaphysical in every thing *. There was a great submission paid to him by the whole party. So he persuaded them, that from the words of the commission they were bound to offer every thing, that they thought might conduce to the good or peace of the church, without considering what was like to be obtained, or what effect their demanding so much might have, in irritating the minds of those who were then the superior body in strength and number. All the whole matter was at last reduced to one single point, whether it was lawful to determine the certain use of things indifferent in the worship of God? The bishops held them to that point, and pressed them to shew that any of the things imposed were of themselves unlawful. The presbyterians declined this; but affirmed, that other circumstances might make it become unlawful to settle a peremptory law about things indifferent; which they applied chiefly to kneeling in the sacrament, and stood upon it that a law, which excluded all that did not kneel from the sacrament, was unlawful, as a limitation in the point of communion put on the laws of Christ, which ought to be the only condition of those who had a right to it. Upon this point there was a free conference that lasted some days. The two men, that had the chief management of the debate, were the most unfit to heal matters, and the fittest to widen them, that could have been found out.

* Richard Baxter wns in every condition of life an extraordinary man. As a youth, though his education was neglected, yet by diligence he qualified himself for the masterships of Wroxeter and Dudley free-schools. He had an opportunity of advancing his fortune at court by being kindly received by sir Henry Herbert, master of the revels, but he conscientiously objected to a courtier's life; this was one instance only of the high principle and piety that marked his career, and they never pass unrewarded. Although he had not been at a university, he was ordained by the bishop of Winchester. He was alike admired by episcopalians and by presbyterians, but entirely coincided with neither. We have seen in the text that he desired an alteration in the liturgy and the church ceremonies; yet he was one of Charles the Second's chaplains, and we shall see that he was offered, and refused, a bishopric in 1685. He was tried before the base and brutal Jefferies, for some reflections against episcopacy contained in his "Paraphrase on the New Testament." He was fined five hundred marks, to be imprisoned until they were paid, and to find securities for his good behaviour during seven years. After a short confinement, he was released, through the intervention of lord Powis.—Woolrych's Memoirs of Lord Jefferies, 178. He was born in 1615, and died in 1691. He was the author of one hundred and forty-five distinct treatises, which have been published in four large folios. He was characterised by a deep sense of the truth and importance of Christianity. His zeal for its promulgation was indefatigable, yet it never degenerated into enthusiasm. All dispassionate competent judges speak of his character and practical writings with applause. It is impossible within the limits of a note to delineate his excellencies; it may be best appreciated from the "Narrative of his own Life and Times;" which is a diary that affords much information relative to the period in which he lived. See also Calamy; and Biographia Britannica.

Baxter was the opponent, and Gunning was the respondent; who was afterwards advanced, first to Chichester, and then to Ely: he was a man of great reading, and noted for a special subtilty of arguing: all the arts of sophistry were made use of by him on all occasions, in as confident a manner, as if they had been sound reasoning: he was a man of an innocent life, unweariedly active to very little purpose: he was much set on the reconciling us with popery in some points: and, because the charge of idolatry seemed a bar to all thoughts of reconciliation with them, he set himself with very great zeal to clear the church of Rome of idolatry. This made many suspect him as inclining to go over to them; but he was far from it: and was a very honest, sincere man, but of no sound judgment, and of no prudence in affairs: he was for our conforming in all things to the rules of the primitive church, particularly in praying for the dead, in the use of oil, with many other rituals: he formed many in Cambridge upon his own notions, who have carried them perhaps farther than he intended *. Baxter and he spent some days in much logical arguing, to the diversion of the town, who thought here were a couple of fencers engaged in disputes, that could never be brought to an end, nor have any good effect. In conclusion, this commission being limited to such a number of days, came to an end, before any one thing was agreed on. The bishops insisted on the laws that were still in force, to which they would admit of no exception, unless it was proved that the matter of those laws was sinful. They charged the presbyterians with having made a schism, upon a charge against the church for things, which now they themselves could not call sinful. They said, there was no reason to gratify such a sort of men in any thing; one demand granted would draw on many more: all authority both in church and state was struck at by the position they had insisted on, that it was not lawful to impose things indifferent, since they seemed to be the only proper matter in which human authority could interpose. So this furnished an occasion to expose them as enemies to all order. Things had been carried at the Savoy with great sharpness, and many reflections. Baxter said once, such things would offend many good men in the nation. Stearn, the archbishop of York, upon that took notice that he would not say kingdom, but nation, because he would not acknowledge a king. Of this great complaints were made, as an indecent return for the zeal they had shewn in the restoration.

The conference broke up without doing any good. It did rather hurt, and heightened the sharpness that was then in people's minds to such a degree, that it needed no addition to raise it higher. The presbyterians laid their complaints before the king: but little regard was had to them. And now all the concern that seemed to employ the bishops' thoughts was, not only to make no alteration on that account, but to make the terms of conformity much stricter than they had been before the war. So it was resolved to maintain conformity to the height, and to put lecturers in the same condition with the incumbents, as to oaths and subscriptions; and to oblige all persons to subscribe an unfeigned assent and consent to all and every particular, contained and prescribed in the Book of Common Prayer. Many, who thought it lawful to conform in submission, yet scrupled at this, as importing a particular approbation of every thing: and great distinction was made between a conformity in practice, and so full and distinct an assent. Yet men got over that, as importing no more but a consent of obedience: for though the words of the subscription, which were also to be publicly pronounced before the congregation, declaring the person's unfeigned assent and consent, seemed to import this, yet the clause of the act that enjoined this carried a clear explanation of it; for it

* Dr. Peter Gunning was a firm believer in Christianity, and an able controversialist—but he was better calculated to confound than to convert its opponents, and its erring professors. He firmly advocated the cause of Charles the First, even when the parliament was in the ascendant, and suffered a proportionate persecution. His publications are all controversial; one of them, entitled "Views and Corrections of the Common Prayer," related to the topic mentioned in the text. He was born in 1613, and died in 1684. A full detail of his character was given by Dr. Gower in a book entitled "A Discourse delivered in Two Sermons in the Cathedral at Ely." No man had ever more thoroughly studied the Bible; and, having a powerful memory, he perhaps was never equalled as a textuary. It bespeaks a kindness of heart, that when he obtained the mastership of St. John's College, Cambridge, upon the ejection of Dr. Tuckney, he allowed this nonconformist divine a handsome annuity during his life. His person was handsome, and his manner graceful, which will sufficiently account for the admiration he won of the court ladies, without asserting with "the Merry Monarch," that "they admired his preaching, because they did not understand him."—Wood's Athenæ Oxon. 763, fo.—Master's Hist. Corpus Christi College, 157—Salmon's Lives of English Bishops, 259.

enacted this declaration as an assent and consent to the use of all things contained in the book. Another subscription was enacted, with relation to the league and covenant: by which they were required to declare it not lawful upon any pretence whatsoever to take arms against the king, renouncing the traitorous position of taking arms by his authority against his person, or those commissioned by him, together with a declaration, that no obligation lay on them, or any other person, from the league or covenant, to endeavour any change or alteration of government in church and state, and that the covenant was in itself an unlawful oath. This was contrived against all the old men, who had both taken the covenant themselves, and had pressed it upon others. So they were now to own themselves very guilty in that matter. And those, who thought it might be lawful, upon great and illegal provocation, to resist unjust invasions on the laws and liberties of the subjects, excepted to the subscription, though it was scarcely safe for any at that time to have insisted on that point. Some thought, that since the king had taken the covenant, he at least was bound to stand to it.

Another point was fixed by the act of uniformity, which was more at large formerly: those, who came to England from the foreign churches, had not been required to be ordained among us: but now all, that had not episcopal ordination, were made incapable of holding any ecclesiastical benefice. Some few alterations were made in the liturgy by the bishops themselves: a few new collects were made, as the prayer for all conditions of men, and the general thanksgiving: a collect was also drawn for the parliament, in which a new * epithet was added to the king's title, that gave great offence, and occasioned much indecent raillery: he was styled our most religious king. It was not easy to give a proper sense to this, and to make it go well down; since, whatever the signification of religion might be in the Latin word, as importing the sacredness of the king's person, yet in the English language it bore a signification that was no way applicable to the king. And those who took great liberties with him have often asked him, what must all his people think, when they heard him prayed for as their most religious king? Some other lesser additions were made. But care was taken, that nothing should be altered, as it had been moved by the presbyterians; for it was resolved to gratify them in nothing. One important addition was made, chiefly by Gawden's men: he pressed that a declaration, explaining the reasons of their kneeling at the sacrament, which had been in king Edward's liturgy, but was left out in queen Elizabeth's time, should be again set where it had once been. The papists were highly offended, when they saw such an express declaration made against the real presence, and the duke told me, that when he asked Sheldon how they came to declare against a doctrine, which he had been instructed was the doctrine of the church, Sheldon answered, "ask Gawden about it, who is a bishop of your own making:" for the king had ordered his promotion for the service he had done. The convocation that prepared those alterations, as they added some new holy days, St. Barnabas, and the conversion of St. Paul, so they took in more lessons out of the Apocrypha, in particular the story of Bel and the Dragon: new offices were also drawn for two new days, the thirtieth of January, called king Charles the Martyr, and the twenty-ninth of May, the day of the king's birth and return. Sancroft drew for these some offices of a very high strain. Yet others of a more moderate strain were preferred to them. But he, coming to be advanced to the see of Canterbury, got his offices to be published by the king's authority, in a time when so high a style as was in them did not sound well in the nation. Such care was taken in the choice and returns of the members of the convocation, that every thing went among them as was directed by Sheldon and Morley. When they had prepared all their alterations, they offered them to the king, who sent them to the house of commons, upon which the act of uniformity was prepared by Keeling, afterwards lord chief justice.

When it was brought into the house, many did apprehend that so severe an act might have ill effects, and began to abate of their first heat: upon which reports were spread, and much aggravated as they were reported to the house of commons, of the plots of the presbyterians in several counties. Many were taken up on those reports: but none were ever tried for them. So, the thing being let fall, it has been given out since, that these were forged by the

* Burnet is incorrect if he considered the words, "our most religious king," were now for the first time introduced in the liturgy. They are in the prayer for the parliament used in 1625.

direction of some hot spirits, who might think such arts were necessary to give an alarm, and, by rendering the party odious, to carry so severe an act against them. The lord Clarendon himself was charged as having directed this piece of artifice: but I could never see any ground for fastening it on him: though there were great appearances of foul dealing among some of the fiercer sort. The act passed by no great majority: and by it, all who did not conform to the liturgy by the twenty-fourth of August, St. Bartholomew's day, in the year 1662, were deprived of all ecclesiastical benefices, without leaving any discretional power with the king in the execution of it, and without making provision for the maintenance of those who should be so deprived: a severity neither practised by queen Elizabeth in the enacting her liturgy, nor by Cromwell in ejecting the royalists, in both which a fifth part of the benefice was reserved for their subsistence. St. Bartholomew's day was pitched on, that, if they were then deprived, they should lose the profits of the whole year, since the tithes are commonly due at Michaelmas. The presbyterians remembered what a St. Bartholomew's had been held at Paris ninety years before, which was the day of that massacre, and did not stick to compare the one to the other. The Book of Common Prayer with the new corrections was that to which they were to subscribe: but the corrections were so long a preparing, and the vast number of copies, above two thousand, that were to be wrought off for all the parish churches of England, made the impression go on so slowly, that there were few books set out to sale when the day came. So, many that were affected to the church, but that made conscience of subscribing to a book that they had not seen, left their benefices on that very account. Some made a journey to London on purpose to see it. With so much precipitation was that matter driven on, that it seemed expected that the clergy should subscribe implicitly to a book they had never seen. This was done by too many, as I was informed by some of the bishops: but the presbyterians were now in great difficulties; they had many meetings, and much disputing about conformity. Reynolds accepted of the bishopric of Norwich: but Calamy and Baxter refused the sees of Lichfield and Hereford. And about two thousand of them fell under the parliamentary deprivation, as they gave out. The numbers have been much controverted. This raised a grievous outcry over the nation, though it was less considered at that time than it would have been at any other. Baxter told me, that had the terms of the king's declaration been stood to, he did not believe that above three hundred of these would have been so deprived. Some few, and but few, of the episcopal party were troubled at this severity, or apprehensive of the very ill effects it was like to have. Here were many men, much valued, some on better grounds, and others on worse, who were now cast out ignominiously, reduced to great poverty, provoked by much spiteful usage, and cast upon those popular practices that both their principles and their circumstances seemed to justify, of forming separate congregations, and of diverting men from the public worship, and from considering their successors as the lawful pastors of those churches in which they had served. The blame of all this fell heaviest on Sheldon. The earl of Clarendon was charged with his having entertained the presbyterians with hopes and good words, while he was all the while carrying on, or at least giving way, to the bishop's project. When the convocation had gone through the Book of Common Prayer, it was in the next place proposed, that, according to a clause in the king's licence, they should consider the canons of the church. They had it then in their power to have reformed many abuses, and particularly to have provided an effectual remedy to the root of all those, which arise from the poor maintenance that is reserved to the incumbents. Almost all the leases of the church estates over England were fallen in, there having been no renewal for twenty years. The leases for years were determined; and the wars had carried off so many men, that most of the leases for lives were fallen into the incumbents' hands; so that the church estates were in them: and the fines raised by the renewing the leases rose to about a million and a half. It was an unreasonable thing to let those who were now promoted carry off so great a treasure. If the half had been applied to the buying of tithes or glebes for small vicarages, here a foundation had been laid down for a great and effectual reformation. In some sees forty or fifty thousand pounds were raised, and applied to the enriching the bishops' families. Something was done to churches and colleges, in particular to St. Paul's in London; and a noble collection was made for

redeeming all the English slaves that were in any part of Barbary. But this fell far short of what might have been expected. In this the lord Clarendon was heavily charged, as having shewn that he was more the bishops' friend than the church's. It is true the law made those fines belong to the incumbents; but such an extraordinary occasion deserved that a law should have been made on purpose. What the bishops did with those great fines was a pattern to all the lower dignitaries, who generally took more care of themselves than of the church. The men of merit and service were loaded with many livings and many dignities. With this great accession of wealth there broke in upon the church a great deal of luxury and high living, on the pretence of hospitality: while others made purchases, and left great estates, most of which we have seen melt away. And with this overset of wealth and pomp, that came on men in the decline of their parts and age, they, who were now growing into old age, became lazy and negligent in all the true concerns of the church; they left preaching and writing to others, while they gave themselves up to ease and sloth. In all which sad representation some few exceptions are to be made; but so few, that, if a new set of men had not appeared of another stamp, the church had quite lost her esteem over the nation.

These were generally of Cambridge, formed under some divines, the chief of whom were Drs. Whichcot, Cudworth, Wilkins, More, and Worthington. Whichcot was a man of a rare temper, very mild and obliging. He had great credit with some that had been eminent in the late times, but made all the use he could of it to protect good men of all persuasions. He was much for liberty of conscience; and being disgusted with the dry systematical way of those times, he studied to raise those who conversed with him to a nobler set of thoughts, and to consider religion as a seed of a deiform nature (to use one of his own phrases.) In order to this, he set young students much on reading the ancient philosophers, chiefly Plato, Tully, and Plotin, and on considering the Christian religion as a doctrine sent from God, both to elevate and sweeten human nature, in which he was a great example, as well as a wise and kind instructor *. Cudworth carried this on with a great strength of genius, and a vast compass of learning. He was a man of great conduct and prudence; upon which his enemies did very falsely accuse him of craft and dissimulation †. Wilkins was of Oxford, but removed to Cambridge. His first rise was in the elector palatine's family, when he was in England: afterwards he married Cromwell's sister; but made no other use of that alliance, but to do good offices, and to cover the university from the sourness of Owen and Goodwin. At Cambridge he joined with those who studied to propagate better thoughts, to take men off from being in parties, or from narrow notions, from superstitious conceits, and a fierceness about opinions. He was also a great observer and a promoter of experimental philosophy, which was then a new thing, and much looked after. He was naturally ambitious, but was the wisest clergyman I ever knew. He was a lover of mankind, and had a delight in doing good ‡. More was an open-hearted and

* Dr. Benjamin Whichcot is mentioned by Baxter as "one of the best and ablest of the conformists;" Dr. Tillotson preached his funeral sermon; the earl of Shaftesbury, author of the "Characteristics;" Archdeacon Jeffery, and Dr. Samuel Clarke edited his "Discourses." An individual admired by men so variously talented, and so differing in opinions, must have had some peculiar charm—this was his mildness and sweetness of temper, which, united with a very exalted opinion of Christianity, rendered him superior to that narrow-minded Phariseeism, that has no charity for those beyond its sect. He died at the house of his friend, Dr. Cudworth, in 1683, aged seventy-four.—General and Grainger's Biographical Dictionaries.

† Dr. Ralph Cudworth is justly said by Mr. Grainger, to hold the same rank in metaphysics that Dr. Isaac Barrow does in sublime geometry. Dr. Cudworth was a man of vast learning, and acute reasoning powers, which he admirably and most opportunely directed for the defence of Christianity against the atheistical doctrines of Hobbes. During the predominance of the parliament and the puritanical sectarians, the press and pulpit teemed with such nonsensical and enthusiastic cant, that the whole community by degrees grew wearied of such absurdities. Human nature being prone to extremes, readily listened to those reasoners, who, professing to appeal to men's common sense, declared that they would demonstrate the whole system to be mere delusion and priestcraft. Cromwell and his supporters were partly religious enthusiasts and partly hypocrites; Charles the Second and his courtiers were profligates and despisers of every serious consideration: they set the example of general licentiousness, and patronized all those who taught that a day of reckoning would never come. Taking their own weapons, Cudworth met them with logical and sound reasoning in his well-known work, "The Intellectual System of the Universe;" a work to which praise can add nothing, because it is universally allowed of immense learning, and sound reasoning. There is a good memoir of him, and an analysis of his works, in Kippis's edition of the "Biographia Britannica." He was born in 1617, and died aged seventy-one.

‡ Dr. John Wilkins is acknowledged, even by Anthony

sincere Christian philosopher, who studied to establish men in the great principles of religion against atheism, that was then beginning to gain ground, chiefly by reason of the hypocrisy of some, and the fantastical conceits of the more sincere enthusiasts *.

Hobbes, who had long followed the court, and passed there for a mathematical man, though he really knew little that way, being disgusted by the court, came into England in Cromwell's time, and published a very wicked book, with a very strange title, *The Leviathan*. His main principles were, that all men acted under an absolute necessity, in which he seemed protected by the then received doctrine of absolute decrees. He seemed to think that the universe was God, and that souls were material, thought being only subtle and imperceptible motion. He thought interest and fear were the chief principles of society: and he put all morality in the following that, which was our own private will, or advantage. He thought religion had no other foundation than the laws of the land; and he put all the law in the will of the prince, or of the people: for he wrote his book at first in favour of absolute monarchy, but turned it afterwards to gratify the republican party. These were his true principles, though he had disguised them, in order to catch unwary readers. And this set of notions came to spread much. The novelty and boldness of them set many on reading them. The impiety of them was acceptable to men of corrupt minds, which were but too much prepared to receive them, by the extravagancies of the late times †. So this set of men at Cambridge studied to assert, and examine the principles of religion and morality on clear grounds, and in a philosophical method. In this More led the way to many that came after him. Worthington was a man of eminent piety and great humility, and practised a most sublime way of self-denial and devotion ‡. All these, and those who were formed under them, studied to examine farther into the nature of things than had been done formerly. They declared against superstition on the one hand, and enthusiasm on the other. They loved the constitution of the church, and the liturgy, and could well live under them; but they did not think it unlawful to live under another form. They wished that things might have been carried with more moderation, and they continued to

Wood, to have been endowed with rare mental gifts. He was celebrated as a theologist and preacher; was an excellent mathematician, astronomer, and experimentalist; and a great promoter of natural, or, as it was then termed, "new," philosophy. It was at his rooms in Wadham college, Oxford, that those promoters of experimental science first met, who were afterwards incorporated as "The Royal Society of London."—Sprat's Hist. of the Royal Society, p. 53. Although Dr. Wilkins was a great advocate for that only correct mode of acquiring a knowledge of Nature, which Bacon has well termed "asking her questions," that is, making experimental researches, yet he had many wild theoretical ideas. In one of his works, entitled, "The Discovery of a New World, and the Possibility of a Passage thither;" he maintains the reasonableness of being able to travel to the moon. "Doctor," said the duchess of Newcastle to him, "where am I to find a place for baiting at, in the way up to that planet?"—"Madam," replied Wilkins, "of all the people in the world, I never expected that question from you, who have built so many castles in the air, that you may be every night at one of your own." The sister of the protector, whom the doctor married, was Robina, widow of Dr. French. He was born in 1614, and died in 1672. Grainger describes him as born for the improvement of every kind of knowledge to which he applied himself, and as being a person truly exemplary as well as extraordinary. Anecdotes of his integrity will appear in other pages of this work.—Biographia Britannica.—Wood's Athenæ Oxon. &c.

* Dr. Henry More was a most amiable philosopher, a most exemplary Christian, and consequently one of the best men of his, or any other age. His talented friend, Mr. Norris, happily styled him "the intellectual epicure." His poetical works are more than sufficiently bad, and perhaps merit the satire of Dr. Garth, who speaks of them as coming "entire" from the grocer's store of waste paper; but his "System of Ethics" is of a very high degree of merit: having this proof of unobjectionable excellence, that it was admired by the Christian Addison and the infidel Hobbes. Mr. Grainger has justly observed, that it is more natural than is usually imagined for the human mind to fly from one extreme to its opposite. Many are the instances of unbelievers finally becoming Papists; and Hobbes said, that "if his own philosophy was not true, he knew none that he should sooner like than More's of Cambridge."

Dr. More was amiable in all the relations of life, and so unambitious, that he declined the highest ecclesiastical preferments; and even resigned his prebendal stall in favour of Dr. Fowler. He was born in 1614, and died in 1687.—Ward's Life of Dr. More.—Grainger's Biog. Hist., &c.

† Of Thomas Hobbes, I shall add nothing to what is said in the text but an expression of regret that a mind so gifted was not applied to benefit and improve rather than to debase his fellow men. He was a sceptic in religion; immoral in his philosophy; wavering in his politics; and a dogmatist in every thing. A scoffer at Christianity, and at the belief of a future state; yet he is known to have frequently been a partaker of the eucharist; and to have been fearful of spectral appearances. So difficult is it to be consistent. He died in 1679, aged ninety-two.—Biograph. Britann.—Wood's Athenæ.—Grainger's Biog. Hist.

‡ Dr. John Worthington never obtained higher preferment than the mastership of Jesus' college, Cambridge, and the rectory of Ingoldsby, Lincolnshire. He was the author of several works that are distinguished for their good sense and piety. He was born in 1618, and died in 1671.—Birch's Life of Tillotson.—Wood's Fasti, Oxon.

keep a good correspondence with those who had differed from them in opinion, and allowed a great freedom both in philosophy and in divinity: from whence they were called men of latitude. And upon this men of narrower thoughts and fiercer tempers fastened upon them the name of *Latitudinarians*. They read Episcopius much. And the making out the reasons of things being a main part of their studies, their enemies called them *Socinians*. They were all very zealous against popery: and so, they becoming soon very considerable, the papists set themselves against them to decry them as atheists, deists, or at best socinians. And now that the main principle of religion was struck at by Hobbes and his followers, the papists acted upon this a very strange part. They went in so far even into the argument for atheism, as to publish many books, in which they affirmed, that there was no certain proof of the christian religion, unless we took it from the authority of the church as infallible. This was such a delivering up of the cause to them, that it raised in all good men a very high indignation at popery; that party shewing, that they chose to make men, who would not turn papists, become atheists, rather than believe christianity upon any other ground than infallibility.

The most eminent of those, who were formed under those great men I have mentioned, were Tillotson, Stillingfleet, and Patrick. The first of these was a man of a clear head, and a sweet temper; he had the brightest thoughts, and the most correct style of all our divines, and was esteemed the best preacher of the age. He was a very prudent man, and had such a management with it, that I never knew any clergyman so universally esteemed and beloved, as he was for above twenty years. He was eminent for his opposition to Popery. He was no friend to persecution, and stood up much against Atheism. Nor did any man contribute more to bring the city to love our worship than he did. But there was so little superstition, and so much reason and gentleness in his way of explaining things, that malice was long levelled at him, and in conclusion broke out fiercely on him *. Stillingfleet was a man of much more learning, but of a more reserved, and a haughtier temper. He in his youth wrote an Irenicum for healing our divisions, with so much learning and moderation, that it was esteemed a master-piece. His notion was, that the apostles had settled the church in a constitution of bishops, priests, and deacons; but had made no perpetual law about it, having only taken it in, as they did many other things, from the customs and practice of the synagogue; from which he inferred, that certainly the constitution was lawful since authorised by them, but not necessary, since they had made no settled law about it. This took with many; but was cried out upon by others as an attempt against the church. Yet the argument was managed with so much learning and skill, that none of either side ever undertook to answer it. After that, he wrote against infidelity, beyond any that had gone before him. And then he engaged to write against popery, which he did with such an exactness and liveliness, that no books of controversy were so much read and valued as his were. He was a great man in many respects. He knew the world well, and was esteemed a very wise man. The writing of his Irenicum was a great snare to him: for, to avoid the imputations which that brought upon him, he not only retracted the book, but he went into the humours of a high sort of people, beyond what became him, perhaps beyond his own sense of things. He applied himself much to the study of the law and records, and the original of our constitution, and was a very extraordinary man †. Patrick

* Dr. John Tillotson is an example of genius triumphing over the most complicated difficulties. He was the son of a rigid Calvinist, a Yorkshire clothier; many of his relatives were quakers; he was a nephew, by marriage, of Oliver Cromwell; and he had no influential friends. The character of Dr. Tillotson may be justly estimated from the following anecdote, for throughout his life, he always upheld the essentials of our faith in preference to its ecclesiastical forms. Dr. Beveridge objected to reading a brief in Canterbury cathedral for the benefit of the distressed Protestant refugees, because it was contrary to the rubric. "Doctor, doctor," replied Tillotson, "Charity is above rubrics."—Lady Russel's Letters. It is an attestation of his genuine piety, that he died in the arms of Mr. Nelson, the author of a well-known work upon our church's "Fasts and Festivals." King William always spoke of him affectionately, and declared "he never had a better friend." Several notices of him will be found in future pages. A good "Life of Archbishop Tillotson" was published by Dr. Birch. He introduced the custom of preaching from notes.

† Dr. Edward Stillingfleet may be considered as owing his advancement entirely to the great merits of his publications. It is true that he had a living, Sutton, in Bedfordshire, given to him by Sir Roger Burgoyne, before he was known as an author; but it was his "Irenicum," intended to heal the differences between the episcopalians and nonconformists; his "Origines Sacræ;" his "Rational Account of the Protestant Religion," and his "Origines Britannicæ, or the Antiquities of the British Churches,"

was a great preacher. He wrote much, and well, and chiefly on the Scriptures. He was a laborious man in his function, of great strictness of life, but a little too severe against those who differed from him. But that was, when he thought their doctrines struck at the fundamentals of religion. He became afterwards more moderate *. To these I shall add another divine, who, though of Oxford, yet as he was formed by bishop Wilkins, so he went into most of their principles, but went far beyond them in learning. Lloyd was a great critic in the Greek and Latin authors, but chiefly in the Scriptures; of the words and phrases of which he carried the most perfect concordance in his memory, and had it the readiest about him, of all men that ever I knew. He was an exact historian, and the most punctual in chronology of all our divines. He had read the most books, and with the best judgment, and had made the most copious abstracts out of them, of any in this age: so that Wilkins used to say, he had the most learning in ready cash of any he ever knew. He was so exact in every thing he set about, that he never gave over any part of study till he had quite mastered it: but when that was done, he went to another subject, and did not lay out his learning with the diligence with which he laid it in. He had many volumes of materials upon all subjects laid together in so distinct a method, that he could with very little labour write on any of them. He had more life in his imagination, and a truer judgment, than may seem consistent with such a laborious course of study. Yet, as much as he was set on learning, he had never neglected his pastoral care. For several years he had the greatest cure in England, St. Martin's, which he took care of with an application and diligence beyond any about him: to whom he was an example, or rather a reproach, so few following his example. He was a holy, humble, and patient man, ever ready to do good when he saw a proper opportunity: even his love of study did not divert him from that. He did upon his promotion find a very worthy successor in his cure, Tennison, who carried on, and advanced all those good methods that he had begun, in the management of that great cure. He endowed schools, set up a public library, and kept many curates to assist him in his indefatigable labours among them. He was a very learned man, and took much pains to state the notions and practices of heathenish idolatry, and so to fasten that charge on the church of Rome. And, Whitehall lying within that parish, he stood as in the front of the battle all king James's reign; and maintained, as well as managed, that dangerous post with great courage and much judgment, and was held in very high esteem for his whole deportment, which was ever grave and moderate †. These have been the greatest divines we have had these forty years: and may we ever have a succession of such men, to fill the room of those who have already gone off the stage, and of those who, being now very old, cannot hold their posts long. Of these I have written the more fully, because I knew them well, and have lived long in great friendship with them; but most particularly with Tillotson and Lloyd. And, as I am sensible I owe a great deal of the consideration that has been had for me, to my being known to be their friend, so I have really learned the

that gradually gained him promotion terminating in the bishopric of Worcester. When Tillotson died, queen Mary wished to translate Stillingfleet to the primacy, but an ill-regulated policy substituted Dr. Tennison. Stillingfleet was neglected upon the pretence that his age rendered him unequal to the official duties. Some time after, archbishop Tennison entered a room where Stillingfleet was sitting, the latter remained upon his chair, wittily observing, "You know I am too old to rise." He was only sixty-four when he died, in 1699. He was remarkably handsome, and manly in his person, and this coinciding with the piety of his mind, obtained for him the hardly justifiable appellation of "the beauty of holiness."—Biograph. Britann.—Noble's Continuation of Grainger.

* Dr. Simon Patrick was one of those rarely occurring characters that never swerve from the course to which they feel their duty directs them. He was the incumbent of St. Paul's, Covent Garden, at the time the plague was ravaging London, but he refused to leave his parishioners in this time of danger and sorrow. He was zealous, yet discreet, in writing against the errors of popery, and when king James tried to induce him to cease from this proceeding, he firmly replied, that "he could not desert the cause of a religion so well proved as that of the Protestants." His Commentaries upon the Scriptures, and his polemical works, are all excellent. All authorities agree in representing him as learned, indefatigable, and pious. Several occasions to notice him will occur in subsequent pages. He died in 1707, aged eighty-one.—Biograph. Brit.—Wood's Fasti.—Grainger and Noble.

† Dr. William Lloyd, successively bishop of St. Asaph and Worcester, is generally allowed to have merited all the eulogium passed upon him in the text. It is to be lamented that one so replete with knowledge should have so much employed himself with polemical controversy, a species of literature the most ephemeral. He had done much in collecting materials for a "History of the English Church," but he gave them to our author, and contented himself with supervising the work of which they were the basis, "The History of the Reformation." He was born in 1627, and died in 1717. Frequent notices of him will occur hereafter.—Wood's Athenæ Oxon.; Biograph. Brit.

best part of what I know from them. But I owed them much more on the account of those excellent principles and notions, of which they were in a particular manner communicative to me. This set of men contributed more than can be well imagined to reform the way of preaching; which among the divines of England before them was overrun with pedantry, a great mixture of quotations from fathers and ancient writers, a long opening of a text with the concordance of every word in it, and a giving all the different expositions with the grounds of them, and the entering into some parts of controversy, and all concluding in some, but very short, practical applications, according to the subject, or the occasion. This was both long and heavy, when all was piebald, full of many sayings of different languages. The common style of sermons was either very flat and low, or swelled up with rhetoric to a false pitch of a wrong sublime. The king had little or no literature, but true and good sense; and had got a right notion of style; for he was in France at a time when they were much set on reforming their language. It soon appeared that he had a true taste. So this helped to raise the value of these men, when the king approved of the style their discourses generally ran in; which was clear, plain, and short. They gave a short paraphrase of their text, unless where great difficulties required a more copious enlargement; but even then they cut off unnecessary shews of learning, and applied themselves to the matter, in which they opened the nature and reasons of things so fully, and with that simplicity, that their hearers felt an instruction of another sort, than had commonly been observed before. So they became very much followed: and a set of these men brought off the city in a great measure from the prejudices they had formerly to the church.

There was a great debate in council, a little before St. Bartholomew's-day, whether the act of uniformity should be punctually executed, or not. Some moved to have the execution of it delayed to the next session of parliament: others were for executing it in the main, but to connive at some eminent men, and to put curates into their churches to read and officiate according to the common prayer, but to leave them to preach on, till they should die out. The earl of Manchester laid all these things before the king with much zeal, but with no great force. Sheldon on the other hand pressed the execution of the law. England was accustomed to obey laws; so while they stood on that ground, they were safe, and need fear none of the dangers that seemed to be threatened: he also undertook to fill all the vacant pulpits that should be forsaken in London, better and more to the satisfaction of the people than they had been before: and he seemed to apprehend that a very small number would fall under the deprivation, and that the gross of the party would conform. On the other hand, those who led the party took great pains to have them all stick together. They infused it into them, that if great numbers stood out, that would shew their strength, and produce new laws in their favour; whereas they would be despised, if, after so much noise made, the greater part of them should conform. So it was thought that many went out in the crowd to keep their friends company. Many of these were distinguished by their abilities and zeal. They cast themselves upon the providence of God, and the charity of their friends, which had a fair appearance, as of men that were ready to suffer persecution for their consciences. This begot esteem, and raised compassion: whereas the old clergy, now much enriched, were as much despised: but the young clergy that came from the universities did good service. Learning was then high at Oxford, chiefly the study of the oriental tongues, which was much raised by the Polyglot bible, then lately set forth. They read the fathers much there. Mathematics and the new philosophy were in great esteem. And the meetings that Wilkins had begun at Oxford were now held in London too, in so public a manner, that the king himself encouraged them much, and had many experiments made before him.

The men that formed the Royal Society in London were sir Robert Murray, the lord Brounker, a profound mathematician, and Doctor Ward, soon after promoted to Exeter, and afterwards removed to Salisbury. Ward was a man of great reach, went deep in mathematical studies, and was a very dexterous man, if not too dexterous; for his sincerity was much questioned. He had complied during the late times, and held in by taking the covenant: so he was hated by the high men as a time-server. But the lord Clarendon saw, that most of the bishops were men of merit by their sufferings, but of no great

capacity for business. He brought Ward in as a man fit to govern the church: for Ward, to get his former errors to be forgotten, went into the high notions of a severe conformity, and became the most considerable man on the bishop's bench. He was a profound statesman, but a very indifferent clergyman *. Many physicians and other ingenious men went into the Society for natural philosophy. But he who laboured most, at the greatest charge, and with the most success at experiments, was Robert Boyle, the earl of Cork's youngest son. He was looked on by all who knew him, as a very perfect pattern. He was a very devout Christian, humble and modest, almost to a fault, of a most spotless and exemplary life in all respects. He was highly charitable; and was a mortified and self-denied man, that delighted in nothing so much as in the doing good. He neglected his person, despised the world, and lived abstracted from all pleasures, designs, and interests. I preached his funeral sermon, in which I gave his character so truly, that I do not think it necessary now to enlarge more upon it †. The Society for Philosophy grew so consider-

* Dr. Seth Ward was the first who caused the study of mathematics to be much attended to at Cambridge. He was succeeded in his lectureship by Dr. Barrow and sir Isaac Newton. Burnet seems to be in error when he states that Dr. Ward took the covenant; for other authorities say that he refused, and was in consequence ejected from a fellowship of Sidney College, Cambridge. However, he swore to be faithful to the commonwealth, in which he was justified, for it was then the established government. It is needless to follow him through his various preferments. He died in 1689, aged seventy-one, bishop of Salisbury. His mind failed some months before his death, a deprivation that is believed to have been brought on by a dispute, in which he was involved with the dean of his bishopric.—Pope's Life of Ward; Wood's Athenæ Oxon. Burnet is too severe upon him in terming him "a very indifferent clergyman." He was pious and very charitable.

† Robert Boyle was gifted with a genius which no unfavourable circumstances could repress—pleasures failed in alluring his mind from science as completely as poverty would have been unable to depress it. He was the only son of the family who attained to manhood without the reward of a peerage; yet by universal consent he is declared to be the greatest of his kindred. "He was a *Boyle*," said one of his family, "but we are mere *Pimples*."

He was the fourteenth child of the earl of Cork, usually distinguished as "the great," and born at Lismore, in Ireland, on the 25th of February, 1627. Talented even in infancy, he was fit for Eton school when he was only eight years old; and he repeatedly declared, that its master, Mr. Harrison, was the means of cherishing by his kindness and attention, that desire of knowledge which ever characterised him; and it is equally worthy of remark, that he often enthusiastically affirmed that it was the reading of Quintus Curtius that created that relish for learning which Mr. Harrison aided in encouraging. At an early period of life he doubted the truth of Christianity, but not being of the number of those who dare to treat it as a subject of secondary consideration, he applied his great mind to the examination of its momentous topics; and concluded by attaining such firm conviction of its veracity, that he spent very large sums in the translation of the Scriptures into foreign languages, and acquired such a veneration for the Deity, that he never uttered his name without pausing.

He travelled for several years upon the continent, assiduously applying at the same time to the study of modern languages and mathematics; but upon acquiring under his father's will the Stalbridge estate, he retired thither in 1646, cultivating his mind, and acquiring an acquaintance with the learned men of his times. He was one of the first members of the philosophical college, which eventually ripened into the Royal Society of London, but which at that period held its meetings so quietly and retiredly, that Boyle was accustomed to call it the *Invisible*. Whilst at Oxford, in 1658, with the assistance of Mr. Hooke, he perfected the air-pump, a machine, the invention of which may be said to have created the science of pneumatics. Otto Guericke was the first who publicly suggested the idea of exhausting a vessel of air by means of a sucking pump, though Boyle assures us, he had previously made similar trials. This attempt was rude in the extreme, and the chief experiment Guericke tried was the exhausting two hemispheres whose edges were made accurately to correspond, and which then, from the pressure of the atmosphere, required considerable force to be separated. This, from the place of Guericke's residence, was called the Magdeburg experiment. It was first made publicly known in 1654, and was justly considered so important a discovery, as first demonstrating the pressure of the atmosphere, that it was exhibited at the Diet at Ratisbon in the presence of the foreign ministers, and the deputies of the empire.

Boyle's first literary efforts were in the cause of religion, and so highly was he esteemed for his performances, as well as for his strict morality, that some of the chief officers of the government, especially lord Clarendon, urged him to enter into orders; but from conscientious motives he declined, at the same time declaring that, as a layman, he thought his exertions in favour of religion would be more influential.

It was well observed of Boyle, that, being born the same year that lord Bacon died, he seemed by nature to have been designed as his successor; and it is certain that he was as strenuous an opponent of the Aristotelian and Cartesian philosophy, as he was the advocate of the philosophy of experiment. Public honours appear to have had a much inferior value in his estimation than leisure for study and the acquirement of knowledge. Dignities in the church, the provostship of Eton, and even the presidency of the Royal Society, were offered to him in vain. He settled finally in London in 1669, at the house of his sister, lady Ranelagh, in Pall Mall, devoting stated periods of each day to his correspondence, to the reception of scientific visitors, and to his experiments and writings for the press. In 1688 he found his health so declining, that he publicly announced his inability to receive visitors, and applied with additional ardour to complete some of his works then unfinished; thus labouring, notwithstanding the natural sickliness of his constitution and the agonies of a calculous disorder, he continued until his foot was upon the retiring threshold of life, for his eyes did not fail until within four hours of his death, three hours only previously to which was he confined to his bed. It occurred on the 31st of December 1691.

If the editor was writing a particular biography of this eminently talented and good man, he would be as undeter-

able, that they thought fit to take out a patent, which constituted them a body, by the name of the Royal Society: of which sir Robert Murray was the first president, bishop Ward the second, and the lord Brounker the third *. Their history is written so well by Doctor Sprat, that I will insist no more on them, but go on to other matters.

After St. Bartholomew's day, the dissenters, seeing both court and parliament were so much set against them, had much consultation together what to do. Many were for going over to Holland, and settling there with their ministers. Others proposed New England, and the other plantations. Upon this the earl of Bristol drew to his house a meeting of the chief papists in town: and after an oath of secresy, he told them, now was the proper time for them to make some steps towards the bringing in of their religion: in order to that it seemed advisable for them to take pains to procure favour to the nonconformists; (for that became the common name to them all, as puritan had been before the war:) they were the rather to bestir themselves to procure a toleration for them in general terms, that they themselves might be comprehended within it. The lord Aubigny seconded the motion. He said it was so visibly the interest of England to make a great body of the trading men stay within the kingdom, and be made easy in it, that it would have a good grace in them to seem zealous for it: and, to draw in so great a number of those who had been hitherto the hottest against them, to feel their care, and to see their zeal to serve them, he recommended to them to make this the subject of all their discourses, and to engage all their friends in the design. Bennet did not meet with them, but was known to be of the secret; as the lord Stafford told me in the Tower a little before his death. But that lord soon withdrew from those meetings; for he apprehended the earl of Bristol's heat, and that he might raise a storm against them by his indiscreet meddling.

The king was so far prevailed on by them, that in December, 1662, he set out a declaration, that was generally thought to be procured by the lord Bristol; but it had a deeper root, and was designed by the king himself. In it the king expressed his aversion to all severities on the account of religion, but more particularly to all sanguinary laws; and gave hopes both to papists and nonconformists, that he would find out such ways for tempering the severities of the laws, that all his subjects should be easy under them. The wiser of the nonconformists saw at what all this was aimed, and so received it coldly; but the papists went on more warmly, and were preparing a scheme for a toleration for them. And one part of it raised great disputes among themselves. Some were for their taking the oath of allegiance, which renounced the pope's deposing power: but all those that were under a management from Rome refused this. And the internuncio at Brussels proceeded to censure those that were for it, as enemies to the papal authority. A proposition was also made for having none but secular priests tolerated in England, who should be under a bishop, and under an established government. But that all the regulars, in particular all Jesuits, should be, under the strictest penalties, forbidden the kingdom.

The earl of Clarendon set this on, for he knew well it would divide the papists among themselves; but, though a few honest priests, such as Blacklow, Serjeant, Caron, and Walsh were for it, yet they could not make a party among the leading men of their own side. It was pretended, that this was set on foot with a design to divide them, and so to break their strength. The earl of Clarendon knew that Cardinal de Retz, for whom he saw the king had a particular esteem, had come over incognito, and had been with the king in private. So to let the king see how odious a thing his being suspected of popery would be, and what a load it would lay on his government if it came to be believed, he got some of his party, as sir Allen Brodrick told me, to move in the house of commons for an act

mined as Boerhaave, which of his works to select for especial praise. "Which," says he, "of all Mr. Boyle's writings shall I recommend?—All of them." He published a work, entitled "The Christian Virtuoso," and in that, unintentionally, he has delineated his own character, for in him exalted Christian piety and extensive learning were combined. Those who desire to know more concerning this admirable man, will be gratified by consulting his "Life," written by Dr. Birch, and the Biographia Britannica. When Dr. Burnet was engaged in preparing his "History of the Reformation," Mr. Boyle not only furnished him with information, but contributed towards defraying the expense of its publication.

* The charter bears the date of April 22nd, 1663. See an account of it in the work noticed by Burnet, entitled "The History of the Royal Society of London. By Thomas Sprat." But a far better biography of the Society is that by Dr. Thomas Birch.

rendering it capital to say the king was a papist. And, whereas the king was made to believe that the old cavaliers were become milder with relation to popery, the lord Clarendon upon this new act inferred, that it still appeared that the opinion of his being a papist would so certainly make him odious, that for that reason the parliament had made the spreading those reports so penal. But this was taken by another handle, while some said, that this act was made on purpose, that, though the design of bringing in popery should become ever so visible, none should dare to speak of it. The earl of Clarendon had a quite contrary design in it, to let the king see how fatal the effects of any such suspicions were like to be. When the earl of Bristol's declaration was proposed in council, lord Clarendon and the bishops opposed it: but there was nothing in it directly against law, hopes being only given of endeavours to make all men easy under the king's government: so it passed. The earl of Bristol carried it as a great victory. And he, with the duke of Buckingham, and all lord Clarendon's enemies, declared openly against him. But the poor priests who had made those honest motions, were very ill looked on by all their own party, as men gained on design to betray them. I knew all this from Peter Walsh himself, who was the most honest and most learned man I ever knew among them. He was of Irish extraction, and of the Franciscan order; and was, indeed, in all points of controversy, almost wholly Protestant: but he had senses of his own, by which he excused his adhering to the church of Rome; and he maintained, that with these he could continue in the communion of that church without sin. And he said, that he was sure he did some good staying still on that side, but that he could do none at all if he should come over. He thought no man ought to forsake that religion in which he was born and bred, unless he was clearly convinced that he must certainly be damned if he continued in it. He was an honest and able man, much practised in intrigues, and knew well the methods of the Jesuits, and other missionaries. He told me often, there was nothing which the whole popish party feared more than an union of those of the church of England with the presbyterians; they knew we grew the weaker, the more our breaches were widened; and that the more we were set against one another, we would mind them the less. The papists had two maxims, from which they never departed: the one was to divide us, and the other was to keep themselves united, and either to set on an indiscriminated toleration, or a general prosecution; for so we loved to soften the harsh word of persecution. And he observed, not without great indignation at us for our folly, that we, instead of uniting among ourselves, and dividing them, according to their maxims, did all we could to keep them united, and to disjoint our own body: for he was persuaded, if the government had held a heavy hand on the regulars and the Jesuits, and had been gentle to the seculars, and had set up a distinguishing test, renouncing all sort of power in the pope over the temporal rights of princes, to which the regulars and the Jesuits could never submit, that this would have engaged them into such violent quarrels among themselves, that censures would have been thundered at Rome against all that should take any such test; which would have procured much disputing, and might have probably ended in the revolt of the soberer part of that church. But he found, that, though the earl of Clarendon and the duke of Ormond liked the project, little regard was had to it by the governing party in the court *.

The church party was alarmed at all this; and though they were unwilling to suspect the king or the duke, yet the management for popery was so visible, that in the next session of parliament the king's declaration was severely arraigned, and the authors of it were plainly enough pointed at. This was done chiefly by the lord Clarendon's friends. And at this the earl of Bristol was highly displeased, and resolved to take all possible methods to ruin the earl of Clarendon. He had a great skill in astrology, and had possessed the king with a high opinion of it; and told the duke of Buckingham, as he said to the

* Father Peter Walsh was a native of the county of Kildare. He became a Franciscan monk, and subsequently professor of divinity at Louvain. Being appointed procurator of the Irish clergy, he returned to his native country, where he persuaded many of his brother priests to subscribe a declaration disclaiming the Pope's temporal supremacy. The storm which this raised against him, obliged his retreat to London. He died there in March, 1688. Henry, earl of Clarendon observes in his "Diary," "I hear that he had been reconciled, but I am told he would not retract any thing he had written. Some of his order seized his books and papers as soon as he was dead." He wrote a History of the early State of Ireland, and various other works.—Harris's Hist. of Ware.

earl of Rochester, Wilmot, from whom I had it, that he was confident that he would lay that before the king, which would totally alienate him both from his brother and from the lord Clarendon: for he could demonstrate by the principles of that art, that he was to fall by his brother's means, if not by his hand: and he was sure this would work on the king. It would so, said the duke of Buckingham, but in another way than he expected; for it would make the king be so afraid of offending him, that he would do any thing rather than provoke him. Yet the lord Bristol would lay this before the king. And the duke of Buckingham believed that it had the effect ever after, that he had apprehended; for though the king never loved nor esteemed the duke, yet he seemed to stand in some sort of awe of him.

But this was not all: the lord Bristol resolved to offer articles of impeachment against the earl of Clarendon to the house of lords, though it was plainly provided against by the statute against appeals in the reign of Henry the Fourth. Yet both the duke of Buckingham, and the lord Bristol, the fathers of these two lords, had broken through that in the former reign. So the lord Bristol drew his impeachment, and carried it to the king, who took much pains on him in a soft and gentle manner to dissuade him from it. But he would not be wrought on. And he told the king plainly, that, if he forsook him, he would raise such disorders that all England should feel them, and the king himself should not be without a large share in them. The king, as the earl of Lauderdale told me, who said he had it from himself, said, he was so provoked at this, that he durst not trust himself in answering it, but went out of the room, and sent the lord Aubigny to soften him; but all was in vain. It is very probable that the lord Bristol knew the secret of the king's religion, which both made him so bold, and the king so fearful. The next day he carried the charge to the house of lords. It was of a very mixed nature: in one part he charged the lord Clarendon with raising jealousies, and spreading reports of the king's being a papist: and yet in the other articles he charged him with correspondence with the court of Rome, in order to the making the lord Aubigny a cardinal, and several other things of a very strange nature. As soon as he put it in, he, it seems, either repented of it, or at least was prevailed with to abscond. He was ever after that looked on as a man capable of the highest extravagancies possible. He made the matter worse by a letter that he wrote to the lords, in which he expressed his fear of the danger the king was in by the duke's having of guards. Proclamations went out for discovering him; but he kept out of the way till the storm was over *. The parliament expressed a firm resolution to maintain the act of uniformity: and the king being run much in debt, they gave him four subsidies, being willing to return to the ancient way of taxes by subsidies. But these were so evaded, and brought in so little money, that the court resolved never to have recourse to that method of raising money any more, but to betake themselves for the future to the assess-

* The conduct of the earl of Bristol in this affair was consonant with the other extravagant acts of his life. Lord Clarendon agrees with Burnet in stating that the earl endeavoured by threats to force the king to coincide with his plans. He told his majesty "he knew well the cause of his withdrawing his favour from him; that it proceeded only from the chancellor, who governed him and managed all his affairs, whilst himself spent his time only in pleasures and debauchery." This and many other truths which ought to have been more respectfully and decently mentioned, were uttered in the presence of lord Aubigny, who was as much surprised as the king. The earl proceeded in this burst of extravagance by adding that, if satisfaction was not afforded him by his majesty within twenty-four hours, "he would do somewhat that would awaken him out of his slumber, and make him look better to his own business;" concluding with many threats against the chancellor. Charles retorted with more warmth than was customary, yet he lamented afterwards that he had not presence of mind, it being in his own closet, to call for the guard, and send the earl to the Tower. When the twenty-four hours had elapsed, the earl of Bristol appeared before the house of peers, and after many reflections upon the ill-government of the nation, the king's loss of honour, &c., he concluded by charging the lord chancellor Clarendon of high treason. The latter defended himself successfully from the charges of his accuser; and the king told him at dinner the same day that he felt the accusation inculpated himself as much as it did the accused. The opinions of the judges were taken upon the charges, and they concurred in deciding that one peer could not exhibit a charge of high treason against another peer before the house of lords; and moreover, that all the charges did not amount to that crime. When called upon to substantiate his charges, the earl of Bristol delayed so long, that the king issued warrants to a serjeant-at-arms to apprehend him; but he absconded, and continued concealed for two years, sending occasionally letters and petitions to his majesty, who would not receive them. Finally, the countess and sir Harry Bennet prevailed with Charles to admit the earl to a private interview, but he was not allowed to come to court, nor were the warrants for his apprehension withdrawn. He did not appear publicly until Clarendon was forced into exile. — Clarendon's Continuation of his Life, 210; Chandler's Debates in House of Lords, i. 55—65.

ment begun in the war. The convocation gave at the same time four subsidies, which proved as heavy on them, as they were light on the temporality. This was the last aid that the spiritualty gave: for the whole proving so inconsiderable, and yet so unequally heavy on the clergy, it was resolved on, hereafter, to tax church benefices as temporal estates were taxed; which proved indeed a lighter burden, but was not so honourable as when it was given by themselves. Yet interest prevailing above the point of honour, they acquiesced in it. So the convocations being no more necessary to the crown, this made that there was less regard had to them afterwards. They were often discontinued and prorogued: and when they met, it was only for form. The parliament did pass another act, that was very acceptable to the court, and that shewed a confidence in the king, repealing the act of triennial parliaments, which had been obtained with so much difficulty, and was clogged with so many clauses, which seemed to transfer the power from the crown to the people, that, when it was carried, it was thought the greatest security that the people had for all their other liberties. But it was now given up without a struggle, or any clauses for a certainty of parliaments, besides a general one, that there should be a parliament called within three years after the dissolution of the present parliament, and so ever afterwards, but without any severe clauses, in case the act was not observed.

As for our foreign negotiations, I know nothing in particular concerning them. Secretary Bennet had them all in his hands; and I had no confidence with any about him. Our concerns with Portugal were public; and I knew no secrets about these.

By a melancholy instance to our private family, it appeared that France was taking all possible methods to do every thing that the king desired. The commonwealth's-men were now thinking, that they saw the stream of the nation beginning to turn against the court: and upon that they were meeting, and laying plots to retrieve their lost game. One of these being taken, and apprehending he was in danger, begged his life of the king, and said, if he might be assured of his pardon, he would tell where my uncle Wariston was, who was then in Rouen; for the air of Hamborough agreed so ill with him, that he was advised to go to France; and this man was in the secret. The king sent one to the court of France, desiring he might be put in his hands; and this was immediately done. And no notice was sent to my uncle to go out of the way, as is usual in such cases, when a person is not charged with assassinations or any infamous action, but only with crimes of state. He was sent over, and kept some months in the Tower of London, and from that was sent to Scotland, as shall be told afterwards.

The design of a war with Holland was now working. I have been very positively assured by statesmen of both sides, that the French set it on in a very artificial manner; for while they encouraged us to insist on some extravagant demands, they at the same time pressed the Dutch not to yield to them: and as they put them in hopes, that, if a rupture should follow, they would assist them according to their alliance, so they assured us that they would do us no hurt. Downing was then employed in Holland, a crafty, fawning man, who was ready to turn to every side that was uppermost, and to betray those who by their former friendship and services thought they might depend on him; as he did some of the regicides, whom he got in his hands under trust, and then delivered them up. He had been Cromwell's ambassador in Holland, where he had offered personal affronts both to the king and the duke: yet he had by some base practices got himself to be so effectually recommended by the duke of Albemarle, that all his former offences were forgiven, and he was sent into Holland as the king's ambassador, whose behaviour towards the king himself the states had observed. So they had reason to conclude he was sent over with no good intent, and that he was capable of managing a bad design, and very ready to undertake it *.

* Sir George Downing was the son of Dr. Calybute Downing, and resembled him in character, according to Anthony Wood, being "a sider with all times and changes, well skilled in the common cant, and a preacher sometimes to boot." Clarendon says, he had been partly educated in New England. It is certain that before he had the appointment of resident in Holland, he had passed through many offices in Cromwell's army. Having obtained his favour, he was several times elected member of the parliaments of 1654 and 1656, and married a very beautiful lady of noble extraction. Whilst in Holland, serving as Cromwell's representative, he took unnecessary occasions to annoy the exiled king, but when the protector died, and he saw the Stuart interest ascending, he took care, through the duke of Ormond, to give the king secret and highly useful information, and a tender

There was no visible cause of war. A complaint of a ship taken was ready to have been satisfied; but Downing hindered it. So it was plain, the king hated them; and fancied they were so feeble, and the English were so much superior to them, that a war would humble them to an entire submission and dependence on him in all things. The States had treated, and presented the king with great magnificence, and at a vast charge, during the time that he had staid among them, after England had declared for him. And, as far as appearances could go, the king seemed sensible of it; insomuch that the party for the prince of Orange were not pleased, because their applications to him could not prevail to make him interpose, either in the behalf of himself, or of his friends, to get the resolutions taken against him to be repealed, or his party again put in places of trust and command. The king put that off as not proper to be pressed by him at that time; but neither then nor afterwards did he bestir himself in that matter: though, if either gratitude or interest had been of force, and if these had not been overruled by some more prevalent considerations, he must have been inclined to make some returns for the services the late prince did him; and he must have seen what a figure he must make by having the prince of Orange tied to him in interest, as much as he was by blood. France and popery were the true springs of all these counsels. It was the interest of the king of France, that the armies of the States might fall under such a feebleness, that they should be in no condition to make a vigorous resistance, when he should be ready either to invade them, or to fall into Flanders, which he was resolved to do, whensoever the king of Spain should die. The French did thus set on the war between the English and the Dutch, hoping that our fleets should mutually weaken one another so much, that the naval force of France, which was increasing very considerably, should be near an equality to them, when they should be shattered by a war. The States were likewise the greatest strength of the protestant interest, and were therefore to be humbled. So, in order to make the king more considerable both at home and abroad, the court resolved to prepare for a war, and to seek for such colours as might serve to justify it. The earl of Clarendon was not let into the secret of this design, and was always against it: but his interest was now sunk low, and he began to feel the power of an imperious mistress over an amorous king, who was so disgusted at the queen, that he abandoned himself wholly to amour and luxury.

This was, as far as I could penetrate into it, the state of the court for the first four years after the Restoration. I was in the court a great part of the years 1662, 1663, and 1664; and was as inquisitive as I could possibly be, and had more than ordinary occasions to hear and see a great deal.

But now I return to the affairs of Scotland: the earl of Middleton, after a delay of some months, came up to London, and was very coldly received by the king. The earl of Lauderdale moved that a Scotch council might be called. The lord Clarendon got this to be delayed a fortnight. When it met, the lord Lauderdale accused the earl of Middleton of many malversations in the great trust he had been in, which he aggravated severely. The lord Middleton desired he might have what was objected to him in writing: and when he had it, he sent it to Scotland, so that it was six weeks before he had his answer ready; all on design to gain time. He excused some errors in point of form, by saying, that, having served in a military way, he understood not so exactly what belonged to law and form; but insisted on this, that he designed nothing, but that the king's service might go on, and that his friends might be taken care of, and his enemies be humbled, and that so loyal a parliament might be encouraged, who were full of zeal and affection to his service; that, in complying with them, he had kept every thing so entirely in his majesty's power, that the king was under no difficulties by any thing they had done. In the meanwhile Sheldon was very earnest with the king to forgive the lord Middleton's crime, otherwise he

of his services. This was unknown to the Dutch government, and it was astonished when Charles came to the Hague, previous to embarking to resume the crown, when Downing was not only received graciously, but was knighted, and continued as resident. Clarendon supports the statement of Burnet, that Downing promoted the involving England in the Dutch war. He was the representative of Morpeth in the parliament of May, 1661. The regicides he kidnapped were Barkstead, Okey, and Corbet. Subsequently he became secretary to the treasury, a teller of the exchequer, a commissioner of customs, and a baronet. Clarendon describes him as bold, proud, insolent, and loquacious.—Wood's Athenæ Oxon.; Clarendon's Continuation of his Life.

concluded the change so newly made in the church would be so ill supported, that it must fall to the ground. The duke of Albemarle, who knew Scotland, and had more credit on that head than on any other, pretended that the lord Middleton's party was that on which the king could only rely: he magnified both their power and their zeal, and represented the earl of Lauderdale's friends as cold and hollow in the king's service: and, to support all this, the letters that came from Scotland were full of the insolencies of the presbyterians, and of the dejection the bishops and their friends were under. Sharp was prevailed on to go up. He promised to all the earl of Middleton's friends, that he would stick firm to him, and that he would lay before the king, that his standing or falling must be the standing or falling of the church. Of this the earl of Lauderdale had advice sent him. Yet when he came to London, and saw that the king was alienated from the lord Middleton, he resolved to make great submissions to the lord Lauderdale. When he reproached him for his engagements with the earl of Middleton, he denied all; and said, he had never gone farther than what was decent, considering his post. He also denied he had written to the king in his favour; but the king had given the original letter to the lord Lauderdale, who upon that shewed it to Sharp; with which he was so struck, that he fell a crying in a most abject manner. He begged pardon for it; and said, what could a company of poor men refuse to the earl of Middleton, who had done so much for them, and had them so entirely in his power. The lord Lauderdale upon this comforted him; and said, he would forgive them all that was past, and would serve them and the church at another rate than lord Middleton was capable of doing. So Sharp became wholly his. Of all this lord Lauderdale gave me a full relation the next day; and shewed me the papers that passed between lord Middleton and him. Sharp thought he had escaped well. The earl of Middleton treated the bishops too much as his creatures, and assumed a great deal to himself, and expressed a sort of authority over them; which Sharp was uneasy under, though he durst not complain of it, or resist it: whereas he reckoned that lord Lauderdale, knowing the suspicions that lay on him, as favouring the presbyterians, would have less credit and courage in opposing any thing that should be necessary for their support. It proved that in this he judged right; for the lord Lauderdale, that he might maintain himself at court, and with the church of England, was really more compliant and easy to every proposition that the bishops made, than he would otherwise have been, if he had been always of the episcopal party. But all he did that way was against his heart, except when his passions were vehemently stirred, which a very slight occasion would readily do.

When the earls of Lauderdale and Middleton had been writing papers and answers for above three months, an accident happened which hastened lord Middleton's disgrace. The earl of Lauderdale laid before the king the unjust proceedings in the laying on of the fines: and, to make all that party sure to himself, he procured a letter from the king to the council in Scotland, ordering them to issue out a proclamation for superseding the execution of the act of fining till farther order. The privy council being then for the greater part composed of lord Middleton's friends, it was pretended by some of them, that, as long as he was the king's commissioner, they could receive and execute no orders from the king, but through his hands. So they wrote to him, desiring him to represent to the king, that this would be an affront put on the proceedings of parliament, and would raise the spirits of a party that ought to be kept down. Lord Middleton wrote back, that he had laid the matter before the king; and that he, considering better of it, ordered, that no proceeding should be made upon his former letter. This occasioned a hot debate in council. It was said, a letter under the king's hand could not be countermanded, but from the same hand. So the council wrote to know the king's mind in the matter. The king protested he knew nothing of it, and that lord Middleton had not spoken one word on the subject to him. He upon that sent for him, and chid him so severely, that lord Middleton concluded from it that he was ruined. Yet he always stood upon it, that he had the king's order by word of mouth for what he had done, though he was not so cautious as to procure an instruction under his hand for his warrant. It is very probable that he spoke of it to the king, when his head was full of somewhat else, so that he did not mind it; and that, to get rid of the earl of Middleton, he bid him do whatever he proposed, without reflecting much on it: for the king was at that

time often so distracted in his thoughts, that he was not at all times master of himself. The queen-mother had brought over from France one Mrs. Stuart, reckoned a very great beauty, who was afterwards married to the duke of Richmond. The king was believed to be deeply in love with her *. Yet his former mistress kept her ground still; and, what with her humours and jealousy, and what with this new amour, the king had very little quiet, between both their passions and his own.

Towards the end of May, the king called many of the English councillors together, and did order all the papers that had passed between the earls of Lauderdale and Middleton to be read to them. When that was done, many of them, who were Middleton's friends, said much in excuse of his errors, and of the necessity of continuing him still in that high trust. But the king said, his errors were so great and so many, that the credit of his affairs must suffer, if he continued them any longer in such hands. Yet he promised them, he would be still kind to him; for he looked on him as a very honest man. Few days after that secretary Morrice was sent to him, with a warrant under the king's hand, requiring him to deliver up his commission, which he did. And so his ministry came to an end, after a sort of a reign of much violence and injustice: for he was become very imperious. He and his company were delivered up to so much excess, and to such a madness of frolic and intemperance, that as Scotland had never seen any thing like it, so upon this disgrace there was a general joy over the kingdom: though that lasted not long; for those that came after him grew worse than ever he was like to be. He had lived in great magnificence, which made him acceptable to many: and he was a firm friend, though a violent enemy. The earl of Rothes was declared the king's commissioner. But the earl of Lauderdale would not trust him. So he went down with him, and kept him too visibly in a dependence on him, for all his high character.

One of the first things that was done in this session of parliament, was the execution of my unfortunate uncle, Wariston. He was so disordered both in body and mind that it was a reproach to a government to proceed against him: his memory was so gone, that he did not know his own children. He was brought before the parliament, to hear what he had to say, why his execution should not be awarded. He spoke long, but in a broken and disordered strain, which his enemies fancied was put on to create pity. He was sentenced to die. His deportment was unequal, as might be expected from a man in his condition. Yet when the day of his execution came, he was very serene. He was cheerful, and seemed fully satisfied with his death. He read a speech twice over on the scaffold, that to my knowledge he composed himself, in which he justified all the proceedings in the covenant, and asserted his own sincerity; but condemned his joining with Cromwell and the sectaries, though even in that his intentions had been sincere, for the good of his country, and the security of religion. Lord Lauderdale had lived in great friendship with him: but he saw the king was so set against him, that he, who at all times took more care of himself than of his friends, would not in so critical a time seem to favour a man, whom the presbyterians had set up as a sort of an idol among them, and on whom they did depend more, than on any other man then alive.

The business of the parliament went on as the lord Lauderdale directed. The whole proceeding in the matter of the balloting was laid open. It appeared, that the parliament had not desired it, but had been led into it by being made believe that the king had a mind to it. And of all the members of parliament, not above twelve could be prevailed on to own, that they had advised the earl of Middleton to ask leave of the king for it, whose private suggestions he had represented to the king as the desire of the parliament. This finished his disgrace, as well as it occasioned the putting all his party out of employments.

While they were going on with their affairs, they understood that an act had passed in the parliament of England against all conventicles, impowering justices of peace to convict

* This was Frances Theresa, daughter of Captain Walter Stuart, son of Lord Blantyre. Her mind was not distinguished for its solidity or brilliancy; but in person she was probably the most beautiful woman that ever adorned the court of Charles the Second. Above all, she had an unimpeached character. Rotier, the king's engraver, almost adored her. Her portrait, as Britannia, is on the reverse of the best coins of this reign.—Walpole's Anecdotes of Painting; Evelyn's Numismata. It was a very prevalent opinion that the king would divorce himself from his queen, and marry her. The consequences of her marriage with the duke of Richmond will be seen in a future page.—Memoires de Grammont; Continuation of Clarendon's Life; Grainger's Biog. History.

offenders without juries: which was thought a great breach on the security of the English constitution, and a raising the power of justices to a very arbitrary pitch. Any meeting for religious worship, at which five were present more than the family, was declared a conventicle. And every person above sixteen, that was present at it, was to lie three months in prison, or to pay 5*l.* for the first offence; six months for the second offence, or to pay 20*l.* fine; and for the third offence, being convict by a jury, was to be banished to any plantation, except New England or Virginia, or to pay 100*l.* All people were amazed at this severity. But the bishops in Scotland took heart upon it, and resolved to copy from it. So an act passed there, almost in the same terms. And, at the passing it, lord Lauderdale in a long speech expressed great zeal for the church. There was some little opposition made to it by the earl of Kincardine, who was an enemy to all persecution. But though some few voted against it, it was carried by a great majority.

Another act passed, declaring the constitution of a national synod. It was to be composed of the archbishops and bishops, of all deans, and of two to be deputed from every presbytery; of which the moderator of the presbytery named by the bishop was to be one: all things were to be proposed to this court by the king or his commissioner. And whatsoever should be agreed to by the majority and the president, the archbishop of St. Andrews, was to have the force of an ecclesiastical law, when it should be confirmed by the king. Great exceptions were taken to this act. The church was restrained from meddling with any thing, but as it should be laid before them by the king; which was thought a severe restraint, like that of the *proponentibus legatis* so much complained of at Trent. The putting the negative, not in the whole bench of the bishops, but singly in the president, was thought very irregular. But it passed with so little observation, that the lord Lauderdale could scarce believe it was penned as he found it to be, when I told him of it. Primrose told me, Sharp put that clause in with his own hand. The inferior clergy complained, that the power was wholly taken from them; since as one of their deputies was to be a person named by the bishops, so, the moderators claiming a negative vote in their presbyteries as the bishops' delegates, the other half were only to consist of persons to whom they consented. The act was indeed so penned, that nobody moved for a national synod, when they saw how it was to be constituted.

Two other acts passed in favour of the crown. The parliament of England had laid great impositions on all things imported from Scotland: so the parliament, being speedily to be dissolved, and not having time to regulate such impositions on English goods, as might force the English to bring that matter to a just balance, they put that confidence in the king, that they left the laying of impositions on all foreign merchandise wholly to him.

Another act was looked on as a pompous compliment: and so it passed without observation, or any opposition. In it they made an offer to the king of an army of twenty thousand foot and two thousand horse, to be ready upon summons to march with forty days' provision into any part of his majesty's dominions, to oppose invasions, to suppress insurrections, or for any other cause in which his authority, power, or greatness was concerned. Nobody dreamt, that any use was ever to be made of this. Yet the earl of Lauderdale had his end in it, to let the king see what use he might make of Scotland, if he should intend to set up arbitrary government in England. He told the king, that the earl of Middleton and his party understood not, what was the greatest service that Scotland could do him: they had not much treasure to offer him; the only thing they were capable of doing was, to furnish him with a good army, when his affairs in England should require it. And of this he made great use afterwards to advance himself, though it could never have signified any thing to the advancing the king's ends. Yet so easy was it to draw the parliament of Scotland to pass acts of the greatest consequence in a hurry, without considering the effects they might have. After these acts were passed, the parliament was dissolved; which gave a general satisfaction to the country, for they were a furious set of people. The government was left in the earl of Glencairn's hands, who began, now that he had a little favour at court, to set himself on all occasions to oppose Sharp's violent notions. The earl of Rothes stuck firm to Sharp; and was recommended by him to the bishops of England, as the only man that supported their interests. The king at this time restored lord Lorn to his grandfather's honour, of

being earl of Argyle, passing over his father; and gave him a great part of his estate, leaving the rest to be sold for the payment of debts, which did not raise in value above a third part of them. This occasioned a great outcry, that continued long to pursue him.

Sharp went up to London to complain of the lord Glencairn, and of the privy council; where, he said, there was such a remissness, and so much popularity appeared on all occasions, that, unless some more spirit were put into the administration, it would be impossible to preserve the church. That was the word always used, as if there had been a charm in it. He moved, that a letter might be written, giving him the precedence of the lord chancellor. This was thought an inexcusable piece of vanity: for in Scotland, when there was no commissioner, all matters passed through the lord chancellor's hands, who by act of parliament was to preside in all courts, and was considered as representing the king's person. He also moved, that the king would grant a special commission to some persons, for executing the laws relating to the church. All the privy councillors were to be of it. But to these he desired many others might be added, for whom he undertook, that they would execute them with zeal. Lord Lauderdale saw that this would prove a high-commission court: yet he gave way to it, though much against his own mind. Upon these things I took the liberty, though then too young to meddle in things of that kind, to expostulate very freely with him. I thought he was acting the earl of Traquair's part, giving way to all the follies of the bishops on design to ruin them. He upon that ran into a great deal of freedom with me: he told me many passages of Sharp's past life: he was persuaded he would ruin all: but, he said, he was resolved to give him line: for he had not credit enough to stop him; nor would he oppose any thing that he proposed, unless it was very extravagant: he saw the earl of Glencairn and he would be in a perpetual war: and it was indifferent to him, how matters might go between them: things would run to a height: and then the king would of himself put a stop to their career: for the king said often he was not priest-ridden: he would not venture a war, nor travel again for any party. This was all that I could obtain from the earl of Lauderdale. I pressed Sharp himself to think of more moderate methods. But he despised my applications: and from that time he was very jealous of me.

Fairfoul, archbishop of Glasgow, died this year: and one Burnet succeeded him, who was a near kinsman of the lord Rutherford's; who, from being governor of Dunkirk, when it was sold, was sent to Tangier, but soon after in an unhappy encounter, going out to view some grounds, was intercepted, and cut to pieces by the Moors. Upon Rutherford's recommendation, Burnet, who had lived many years in England, and knew nothing of Scotland, was sent thither, first to be bishop of Aberdeen: and from thence he was raised to Glasgow. He was of himself a soft and good natured man, tolerably learned, and of a blameless life: but was a man of no genius: and though he was inclined to peaceable and moderate counsels, yet he was much in the power of others, and took any impression that was given him very easily. I was much in his favour at first, but could not hold it long: for as I had been bred up by my father to love liberty and moderation, so I spent the greatest part of the year 1664, in Holland and France, which contributed not a little to root and fix me in those principles.

I saw much peace and quiet in Holland, notwithstanding the diversity of opinion among them; which was occasioned by the gentleness of the government, and the toleration that made all people easy and happy. An universal industry was spread through the whole country. There was little aspiring to preferment in the state, because little was to be got that way. They were then apprehending a war with England, and were preparing for it. From thence, where every thing was free, I went to France, where nothing was free. The king * was beginning to put things in great method, in his revenue, in his troops, in his government at home, but above all in the increasing of trade, and the building of a great fleet. His own deportment was solemn and grave, save only that he kept his mistresses very avowedly. He was diligent in his own counsels, and regular in the despatch of his affairs: so that all things about him looked like the preparing of matters for all that we have seen acted since. The king of Spain was considered as dying: and the infant his son was like to die

* Lewis the Fourteenth.

as soon as he: so that it was generally believed, the French king was designing to set up a new empire in the west. He had carried the quarrel at Rome about the Corses so high with the house of Ghigi that the protestants were beginning to flatter themselves with great hopes. When I was in France cardinal Ghigi came, as legate, to give the king full satisfaction in that matter. Lord Hollis was then ambassador at Paris. I was so effectually recommended to him, that he used me with great freedom, which he continued to do to the end of his days. He stood upon all the points of an ambassador with the stiffness of former ages, which made him very unacceptable to a high-spirited young prince, who began even then to be flattered, as if he had been somewhat more than a mortal. This established me in my love of law and liberty, and in my hatred of absolute power. When I came back, I stayed for some months at court, and observed the scene as carefully as I could, and became acquainted with all the men that were employed in Scotch affairs. I had more than ordinary opportunities of being well informed about them. This drew a jealousy on me from the bishops, which was increased from the friendship into which Leighton received me. I passed for one, who was no great friend to church power nor to persecution. So it was thought, that lord Lauderdale was preparing me, as one who was known to have been always episcopal, to be set up against Sharp and his set of men, who were much hated by one side, and not loved, nor trusted, by the other.

In the mean while the earl of Glencairn died, which set Sharp at ease, but put him on new designs. He apprehended, that the earl of Tweedale might be advanced to that post: for in the settlement of the duchess of Buccleugh's estate who was married to the duke of Monmouth, the best beloved of all the king's children, by which, in default of issue by her, it was to go to the duke of Monmouth and the issue he might have by any other wife, the earl of Tweedale, though his children were the next heirs, who were by this deprived of their right, had yet given way to it in so frank a manner, that the king was enough inclined both to oblige and to trust him. But Sharp had great suspicions of him as cold in their concerns. So he wrote to Sheldon, that upon the disposal of the seals the very being of the church did so absolutely depend, that he begged he would press the king very earnestly in the matter, and that he would move that he might be called up before that post should be filled. The king bid Sheldon assure him, he should take a special care of that matter, but that there was no occasion for his coming up: for the king by this time had a very ill opinion of him. Sharp was so mortified with this, that he resolved to put all to hazard; for he believed all was at stake: and he ventured to come up. The king received him coldly; and asked him, if he had not received the archbishop of Canterbury's letter. He said, he had: but he would choose rather to venture on his majesty's displeasure, than to see the church ruined through his caution or negligence: he knew the danger they were in in Scotland, where they had but few and cold friends, and many violent enemies: his majesty's protection, and the execution of the law, were the only things they could trust to: and these so much depended on the good choice of a chancellor, that he could not answer it to God and the church, if he did not bestir himself in that matter: he knew many thought of himself for that post: but he was so far from that thought, that, if his majesty had any such intention, he would rather choose to be sent to a plantation: he desired, that he might be a churchman in heart, but not in habit, that should be raised to that trust. These were his very words, as the king reported them. From him he went to Sheldon, and pressed him to move the king for himself, and furnished him with many reasons to support the proposition; a main one being, that the late king had raised his predecessor Spotiswood to that trust. Sheldon upon that did move the king with more than ordinary earnestness in it. The king suspected Sharp had set him on, and charged him to tell him the truth: the other did it, though not without some uneasiness. Upon that the king told him what he had said to himself. And then it may be easily imagined in what a style they both spoke of him. Yet Sheldon prayed the king that, whatsoever he might think of the man, he would consider the archbishop and the church: which the king assured him he would do. Sheldon told Sharp, that he saw the motion for himself did not take; so he must think of somewhat else. Sharp proposed, that the seals might be put in the earl of Rothes's hands, till the king should pitch on a proper person. He also proposed, that the king would make him his commissioner, in order to the preparing matters for a national

synod, that they might settle a book of common-prayer, and a book of canons. This, he said, must be carried on slowly, and with great caution; of which the late troubles did demonstrate the necessity.

All this was easily agreed to: for the king loved the lord Rothes: and the earl of Lauderdale would not oppose his advancement; though it was a very extravagant thing to see one man possess so many of the chief places of so poor a kingdom. The earl of Crawford would not abjure the covenant: so he had been made lord treasurer in his place; he continued to be still, what he was before, lord president of the council: and, upon the earl of Middleton's disgrace, he was made captain of a troop of guards: and now he was both the king's commissioner, and upon the matter lord chancellor. Sharp reckoned this was his master-piece. Lord Rothes, being thus advanced by his means, was in all things governed by him. His instructions were such as Sharp proposed, to prepare matters for a national synod, and in the mean while to execute the laws, that related to the church, with a steady firmness, so, when he parted from Whitehall, Sharp said to the king, that he had now done all that could be desired of him for the good of the church: so that, if all matters went not right in Scotland, none must bear the blame, but either the earl of Lauderdale or Rothes. And so they came to Scotland, where a very furious scene of illegal violence was opened. Sharp governed lord Rothes, who abandoned himself to pleasure. And, when some censured this, all the answer that was made, was, a severe piece of raillery, "that the king's commissioner ought to represent his person."

The government of Scotland as to civil matters was very easy. All were quiet and obedient. But all those counties that lie towards the west became very fierce and intractable: and the whole work of the council was to deal with them, and to subdue them. It was not easy to prove any thing against any of them, for they did stick firm to one another. The people complained of the new set of ministers, that was sent among them, as immoral, stupid, and ignorant. Generally they forsook their churches. And, if any of them went to church, they said, they were little edified with their sermons. And the whole country was full of strange reports of the weakness of their preaching, and of the indecency of their whole deportment. The people treated them with great contempt, and with an aversion that broke out often into violence and injustice. But their ministers on their parts were not wanting in their complaints, aggravating matters, and possessing the bishops with many stories of designs and plottings against the state. So, many were brought before the council, and the new ecclesiastical commission, for pretended riots, and for using their ministers ill, but chiefly for not coming to church, and for holding conventicles. The proofs were often defective, and lay rather in presumptions, than clear evidence: and the punishments proposed were often arbitrary, not warranted by law. So the judges and other lawyers, that were of those courts, were careful to keep proceedings according to forms of law: upon which Sharp was often complaining, that favour was shown to the enemies of the church, under the pretence of law. It was said, that the people of the country were in such a combination, that it was not possible to find witnesses to prove things fully: and he often said, must the church be ruined for punctilios of law? when he could not carry matters by a vote, as he had a mind, he usually looked to the earl of Rothes; who upon that was ever ready to say, he would take it upon him to order the matter as Sharp proposed, and would do it in the king's name. Great numbers were cast in prison, where they were kept long and ill used: and sometimes they were fined, and the younger sort whipt about the streets. The people grew more sullen on all this ill usage, many were undone by it, and went over to the Scots in Ulster, where they were well received, and had all manner of liberty as to their way of religion.

Burnet was sent up to possess the king with the apprehensions of a rebellion, in the beginning of the Dutch war. He proposed that about twenty of the chief gentlemen of those counties might be secured: and he undertook for the peace of the country, if they were clapped up. This was plainly illegal. But the lord Lauderdale opposed nothing. So it was done: but with a very ill effect. For those gentlemen knowing how obnoxious they were, had kept measures a little better: but they being put in prison, both their friends and tenants laid all to the door of the clergy, and hated them the more, and used them the worse for it. The earls of Argyle, Tweedale, and Kincardine, who were considered as the lord Lauderdale's

chief friends, were cold in all those matters. They studied to keep proceedings in a legal channel, and were for moderate censures. Upon which Sharp said, they appeared to be the friends and favourers of the enemies of the church.

Wherever the people had generally forsaken their churches, the guards were quartered through the country. Sir James Turner, that commanded them, was naturally fierce, but was mad when he was drunk; and that was very often. So he was ordered by the lord Rothes to act according to such directions as Burnet should send him. And he went about the country, and received such lists, as the ministers brought him, of those who came not to church; and, without any other proof or any legal conviction, he set such a fine on them, as he thought they could pay, and sent soldiers to lie on them till it was paid. I knew him well afterwards, when he came to himself, being out of employment. He was a learned man, but had been always in armies, and knew no other rule but to obey orders *. He told me he had no regard to any law, but acted, as he was commanded, in a military way. He confessed it went often against the grain with him to serve such a debauched and worthless company, as the clergy generally were; and that sometimes he did not act up to the rigour of his orders; for which he was often chid, both by lord Rothes and Sharp, but was never checked for his illegal and violent proceedings. And though the complaints of him were very high, so that, when he was afterwards seized on by the party, they intended to make a sacrifice of him: yet when they looked into his orders, and found that his proceedings, how fierce soever, fell short of these, they spared him, as a man that had merited by being so gentle among them.

The truth is, the whole face of the government looked liker the proceedings of an inquisition, than of legal courts: and yet Sharp was never satisfied. So lord Rothes and he went up to court in the first year of the Dutch war. When they waited first on the king, Sharp put him in mind of what he had said at his last parting, that if their matters went not well, none must be blamed for it, but either the earl of Lauderdale, or of Rothes: and now he came to tell his majesty, that things were worse than ever; and he must do the earl of Rothes the justice to say, he had done his part. Lord Lauderdale was all on fire at this, but durst not give himself vent before the king. So he only desired, that Sharp would come to particulars, and then he should know what he had to say. Sharp put that off in a general charge, and said, he knew the party so well, that, if they were not supported by secret encouragements, they would have been long ago weary of the opposition they gave the government. The king had no mind to enter farther into their complaints. So lord Rothes and he withdrew, and were observed to look very pleasantly upon one another, as they went away. Lord Lauderdale told the king, he was now accused to his face; but he would quickly let him see what a man Sharp was. So he obtained a message from the king to him, of which he himself was to be the bearer, requiring him to put his complaints in writing, and to come to particulars. He followed Sharp home, who received him with such a gaiety, as if he had given him no provocation. But lord Lauderdale was more solemn, and told him, it was the king's pleasure, that he should put the accusation with which he had charged him, in writing. Sharp pretended, he did not comprehend his meaning. He answered, the matter was plain; he had accused him to the king; and he must either go through with it, and make it out, otherwise he would charge him with leasing-making; and spoke in a terrible tone to him. Upon that, as he told me, Sharp fell a trembling, and weeping: he protested he meant no harm to him; he was only sorry that his friends were, upon all occasions, pleading for favour to the fanatics: (that was become the name of reproach.) Lord Lauderdale said, that would not serve his turn: he was not answerable for his friends, except when they acted by directions from him. Sharp offered to go with him presently to the king, and to clear the whole matter. Lord Lauderdale had no mind to break openly with him: so he accepted of this, and carried him to the king, where he retracted all he had said, in so gross a manner, that the king said afterwards, lord Lauderdale was ill-natured to press it so heavily, and to force Sharp on giving himself the lie in such coarse terms.

* In 1683, he published "Essays on the Art of War," and his "Memoirs," by himself, were published by the Bannantyne Club.

This went to Sharp's heart: so he made a proposition to the earl of Dumfries, who was a great friend of the lord Middleton's, to try if a reconciliation could be made between him and the earl of Rothes, and if he would be content to come into the government under lord Rothes. Lord Dumfries went into Kent, where the lord Middleton was then employed in a military command, on the account of the war: and he laid Sharp's proposition before him. The earl of Middleton gave lord Dumfries power to treat in his name; but said, he knew Sharp too well to regard any thing that came from him. Before lord Dumfries came back, Sharp had tried lord Rothes, but found he would not meddle in it: and they both understood that the earl of Clarendon's interest was declining, and that the king was like to change his measures. So when lord Dumfries came back to give Sharp an account of his negotiation, he seemed surprised, and denied he had given him any such commission. This enraged the earl of Dumfries so, that he published the thing in all companies; among others he told it very particularly to myself.

At that time Leighton was prevailed on to go to court, and to give the king a true account of the proceedings in Scotland; which, he said, were so violent, that he could not concur in the planting the Christian religion itself, in such a manner, much less a form of government. He therefore begged leave to quit his bishopric, and to retire; for he thought he was in some sort accessory to the violences done by others, since he was one of them, and all was pretended to be done to establish them and their order. There were indeed no violences committed in his diocese. He went round it continually every year, preaching and catechising from parish to parish. He continued in his private and ascetic course of life, and gave all his income, beyond the small expense of his own person, to the poor. He studied to raise in his clergy a greater sense of spiritual matters, and of the care of souls; and was in all respects a burning and shining light, highly esteemed by the greater part of his diocese: even the presbyterians were much mollified, if not quite overcome, by his mild and heavenly course of life. The king seemed touched with the state that the country was in; he spoke very severely of Sharp; and assured Leighton he would quickly come to other measures, and put a stop to those violent methods; but he would by no means suffer him to quit his bishopric. So the king gave orders that the ecclesiastical commission should be discontinued; and signified his pleasure, that another way of proceeding was necessary for his affairs.

He understood by his intelligence from Holland, that the exiles at Rotterdam were very busy, and that perhaps the Dutch might furnish the malcontents of Scotland with money and arms: so he thought it was necessary to raise more troops. Two gallant officers that had served him in the wars, and, when these were over, had gone with his letters to serve in Muscovy, where one of them, Dalziel, was raised to be a general; and the other, Drummond, was advanced to be a lieutenant-general, and governor of Smolensko, were now, not without great difficulty, sent back by the Czar. So the king intended they should command some forces that he was to raise. Sharp was very apprehensive of this; but the king was positive. A little before this, the act of fining, that had lain so long asleep that it was thought forgotten, was revived: and all who had been fined were required to bring in one moiety of their fines; but the other moiety was forgiven those who took the declaration renouncing the covenant. The money was by act of parliament to be given among those who had served, and suffered for the king; so that the king had only the trust of distributing it. There were no more Scotch councils called at Whitehall after lord Middleton's fall; but upon particular occasions the king ordered the privy councillors of that kingdom, that were about the town, to be brought to him; before whom he now laid the necessity of raising some more force for securing the quiet of Scotland: he only asked their advice, how they should be paid. Sharp very readily said, the money raised by the fining was not yet disposed of; so he proposed the applying it to that use. None opposed this, so it was resolved on; and by that means the cavaliers, who were come up with their pretensions, were disappointed of their last hopes, of being recompensed for their sufferings. The blame of all this was cast upon Sharp, at which they were out of measure enraged, and charged him with it. He denied it boldly. But the king published it so openly, that he durst not contradict him. Many, to whom he had denied that he knew any thing of the matter, and

called that advice a diabolical invention, affirmed it to the king: and the lord Lauderdale, to complete his disgrace with the king, got many of his letters, which he had written to the presbyterians, after the time in which the king knew that he was negotiating for episcopacy, in which he had continued to protest, with what zeal he was soliciting their concerns, not without dreadful imprecations on himself, if he was prevaricating with them, and laid these before the king; so that the king looked on him as one of the worst of men.

Many of the episcopal clergy in Scotland were much offended at all these proceedings. They saw the prejudices of the people were increased by them. They hated violent courses, and thought they were contrary to the meek spirit of the gospel, and that they alienated the nation more from the church. They set themselves much to read church history, and to observe the state of the primitive church, and the spirit of those times; and they could not but observe so great a difference between the constitution of the church under those bishops and our own, that they seemed to agree in nothing but the name. I happened to be settled near two of the most eminent of them, who were often moved to accept of bishopries, but always refused them, both out of a true principle of humility and self-denial, and also because they could not engage in the methods by which things were carried on. One of these, Mr. Nairn, was one of the politest clergymen I ever knew bred in Scotland. He had formed clear and lively schemes of things, and was the most eloquent of all our preachers. He considered the pastoral function as a dedication of the whole man to God and his service. He read the moral philosophers much, and had wrought himself into their equal temper, as much as could consist with a great deal of fire that was in his own; but he turned it all to melting devotion. He had a true notion of superstition, as a narrowness of soul, and a meanness of thought in religion. He studied to raise all that conversed with him to great notions of God, and to an universal charity. This made him pity the presbyterians, as men of low notions and ill tempers. He had indeed too much heat of imagination, which carried him to be very positive in some things, in which he afterwards changed his mind; and that made him pass for an inconstant man. In a word, he was the brightest man I ever knew among all our Scotch divines. Another of these was Mr. Charteris, a man of a composed and serene gravity, but without affectation or sourness. He scarcely ever spoke in company, but was very open and free in private. He made true judgments of things, and of men; and had a peculiar talent in managing such as he thought deserved his pains. He had little heat, either in body or mind: for, as he had a most emaciated body, so he spoke both slow, and in so low a voice that he could not easily be heard. He had great tenderness in his temper, and was a very perfect friend, and a most sublime Christian. He lived in a constant contempt of the world, and a neglect of his person. There was a gravity in his conversation that raised an attention, and begot a composedness in all about him, without frightening them; for he made religion appear amiable in his whole deportment. He had read all the lives and the epistles of great men very carefully. He had read the fathers much, and gave me this notion of them, that in speculative points, for which writers of controversy searched into their works, they were but ordinary men: but their excellency lay in that, which was least sought for, their sense of spiritual things, and of the pastoral care. In these he thought their strength lay. And he often lamented, not without some indignation, that, in the disputes about the government of the church, much pains were taken to seek out all those passages that showed what their opinions were; but that due care was not taken to set out the notions that they had of the sacred function, of the preparation of mind, and inward vocation, with which men ought to come to holy orders, or of the strictness of life, the deadness to the world, the heavenly temper, and the constant application to the doing of good, that became them. Of these he did not talk like an angry reformer, that set up in that strain, because he was neglected or provoked; but like a man full of a deep, but humble sense of them. He was a great enemy to large confessions of faith, chiefly when they were imposed in the lump as tests; for he was positive in very few things. He had gone through the chief parts of learning, but was then most conversant in history, as the innocentest sort of study, that did not fill the mind with subtlety, but helped to make a man wiser and better. These were both single persons, and men of great sobriety; and they lived in a constant low diet, which they valued more than severer fasting. Yet they both became

miserable by the stone. Nairn went to Paris, where he was cut of a great one, of which he recovered, but lived not many years after. Charteris lived to a great age, and died in the end of the year 1700, having in his last years suffered unspeakable torment from the stone, which the operators would not venture to cut. But all that saw what he suffered, and how he bore it, acknowledged that in him they saw a most perfect pattern of patience and submission to the will of God. It was a great happiness for me, after I had broken into the world by such a ramble as I had made, that I fell into such hands, with whom I entered into a close and particular friendship. They both set me right, and kept me right; though I made at this time a sally, that may be mentioned, since it had some relation to public affairs. I observed the deportment of our bishops was in all points so different from what became their function, that I had a more than ordinary zeal kindled within me upon it. They were not only furious against all that stood out against them, but were very remiss in all the parts of their function. Some did not live within their dioceses; and those who did, seemed to take no care of them. They showed no zeal against vice: the most eminently wicked in the county were their particular confidants: they took no pains to keep their clergy strictly to rules, and to their duty: on the contrary, there was a levity and a carnal way of living about them, that very much scandalised me. There was indeed one Scougal, bishop of Aberdeen, that was a man of rare temper, great piety and prudence: but I thought he was too much under Sharp's conduct, and was at least too easy to him.

Upon all this I took a resolution of drawing up a memorial of the grievances we lay under by the ill conduct of our bishops. I resolved that no other person besides myself should have a share in any trouble it might bring on me; so I communicated it to none. This made it not to be in all the parts of it so well digested, as it otherwise might have been: and I was then but three-and-twenty. I laid my foundation in the constitution of the primitive church, and showed how they had departed from it, by their neglecting their dioceses, meddling so much in secular affairs, raising their families out of the revenues of the church, and, above all, by their violent prosecuting of those who differed from them. Of this I wrote out some copies, and signed them, and sent them to all the bishops of my acquaintance. Sharp was much alarmed at it, and fancied I was set on to it by some of the lord Lauderdale's friends. I was called before the bishops, and treated with great severity. Sharp called it a libel. I said, I had set my name to it, so it could not be called a libel. He charged me with the presumption of offering to teach my superiors. I said, such things had been not only done, but justified in all ages. He charged me for reflecting on the king's putting them on his councils: I said, I found no fault with the king for calling them to his councils, but with them for going out of that which was their proper province, and for giving ill counsel. Then he charged me for reflecting on some severities, which, he said, was a reproaching public courts, and a censuring the laws. I said, laws might be made *in terrorem*, not always fit to be executed: but I only complained of clergymen's pressing the rigorous execution of them, and going often beyond what the law dictated. He broke out into a great vehemence, and proposed to the bishops, that I should be summarily deprived and excommunicated: but none of them would agree to that. By this management of his the thing grew public. What I had ventured on was variously censured; but the greater part approved of it. Lord Lauderdale and all his friends were delighted with it; and he gave the king an account of it, who was not ill pleased at it. Great pains were taken to make me ask pardon, but to no purpose; so Sharp let the thing fall. But, that it might appear that I had not done it upon any factious design, I entered into a very close state of retirement; and gave myself wholly to my study, and the duties of my function.

Thus I have run over the state of Scotland in the years 1663, 1664, 1665, and till near the end of 1666. I now return to the affairs of England, in which I must write more defectively, being then so far from the scene. In the winter of 1664, the king declared his resolution of entering into a war with the Dutch. The grounds were so slight, that it was visible there was somewhat more at bottom than was openly owned. A great comet, which appeared that winter, raised the apprehensions of those who did not enter into just speculations concerning those matters. The house of commons was so far from examining nicely into the grounds of the war, that without any difficulty they gave the king two millions

and a half for carrying it on. A great fleet was set out, which the duke commanded in person, as Opdam had the command of the Dutch fleet. But as soon as the war broke out, a most terrible plague broke out also in the city of London, that scattered all the inhabitants that were able to remove themselves elsewhere. It broke the trade of the nation, and swept away about a hundred thousand souls; the greatest havoc that any plague had ever made in England *. This did dishearten all people; and, coming in the very time in which so unjust a war was begun, it had a dreadful appearance. All the king's enemies, and the enemies of monarchy, said here was a manifest character of God's heavy displeasure upon the nation; as indeed the ill life the king led, and the viciousness of the whole court, gave but a melancholy prospect. Yet God's ways are not as our ways. What all had seen in the year 1660 ought to have silenced those who at this time pretended to comment on Providence. But there will be always much discourse of things that are very visible, as well as very extraordinary.

When the two fleets met, it is well known what accidents disordered the Dutch, and what advantage the English had. If that first success had been followed, as was proposed, it might have been fatal to the Dutch, who finding they had suffered so much steered off. The duke ordered all the sails to be set on to overtake them. There was a council of war called, to concert the method of action, when they should come up with them. In that council, Pen, who commanded under the duke, happened to say, that they must prepare for hotter work in the next engagement. He knew well the courage of the Dutch was never so high, as when they were desperate. The earl of Montague, who was then a volunteer, and one of the duke's court, said to me, it was very visible that made an impression. And all the duke's domestics said, he had got honour enough: why should he venture a second time? The duchess had also given a strict charge to all the duke's servants, to do all they could to hinder him to engage too far. When matters were settled, they went to sleep: and the duke ordered a call to be given him, when they should get up to the Dutch fleet. It is not known what passed between the duke and Brounker, who was of his bedchamber, and was then in waiting; but he came to Pen, as from the duke, and said, the duke ordered the sail to be slackened. Pen was struck with the order; but did not go to argue the matter with the duke himself, as he ought to have done, but obeyed it. When the duke had slept, he, upon his waking, went out on the quarter-deck, and seemed amazed to see the sails slackened, and that thereby all hope of overtaking the Dutch was lost. He questioned Pen upon it. Pen put it on Brounker, who said nothing. The duke denied he had given any such order; but he neither punished Brounker for carrying it, nor Pen for obeying it. He indeed put Brounker out of his service; and it was said, that he durst do no more, because he was so much in the king's favour, and in the mistress's. Pen was more in his favour after that, than ever before, which he continued to his son after him, though a quaker: and it was thought that all that favour was to oblige him to keep the secret. Lord Montague did believe, that the duke was struck, seeing the earl of Falmouth, the king's favourite, and two other persons of quality, killed very near him; and that he had no mind to engage again, and that Pen was privately with him. If Brounker was so much in fault, as he seemed to be, it was thought, the duke, in the passion that this must have raised in him, would have proceeded to greater extremities, and not have acted with so much phlegm. This proved the breaking the designs of the king's whole reign: for the Dutch themselves believed that, if our fleet had followed them with full sail, we must have come up with them next tide, and have either sunk or taken their whole fleet †. De Wit was struck with this

* Sir John Reresby, in his "Memoirs," says the number of those who died of this frightful disease was 97,309. "It was usual for people to drop down in the streets as they went about their business."

† Clarendon, no friend to the duke, attributes the failure to Mr. Brounker. "The master of the duke's ships pursued his orders very punctually after the duke was gone to sleep, and kept within a just distance of the Dutch fleet; but no sooner was the duke in sleep, but Mr. Brounker, of his bedchamber, who with wonderful confusion had sustained the terror of the day, resolved to prevent the like on the day succeeding. He first went to Sir William Pen, who commanded the ship, and told him, 'that he knew well how miraculously the duke was preserved that day, and that they ought not farther to tempt God; that the duke was the heir apparent of the crown, &c.;' and concluded with desiring and advising him to slacken the sails. Pen answered him honestly, saying, 'He durst give no such orders, except he had a mind to be hanged, for the duke himself had given positive charge to the contrary.' Mr. Brounker then went to the master of the ship, who was an honest, stout man, and

misfortune; and, imputing some part of it to errors in conduct, he resolved to go on board himself, as soon as their fleet was ready to go to sea again.

Upon this occasion I will say a little of him, and of the affairs of Holland. His father was the deputy of the town of Dort in the States, when the late prince of Orange was so much offended with their proceedings, in disbanding a great part of their army; and he was one of those whom he ordered upon that to be carried to the castle of Lovestein. Soon after that, his design on Amsterdam miscarrying, he saw a necessity of making up the best he could with the States. But, before he had quite healed that wound, he died of the small-pox. Upon his death all his party fell in disgrace, and the Lovesteiners carried all before them. So De Wit got his son John, then but twenty-five years of age, to be made pensioner of Dort. And within a year after, the pensioner of Holland dying, he was made pensioner of Holland. His breeding was to the civil law, which he understood very well. He was a great mathematician; and, as his *Elementa Curvarum* show what a man he was that way, so perhaps no man ever applied Algebra to all matters of trade so nicely as he did. He made himself so entirely the master of the state of Holland, that he understood exactly all the concerns of their revenue, and what sums, and in what manner, could be raised upon any emergency of state; for this he had a pocket-book full of tables, and was ever ready to show how they could be furnished with money. He was a frank, sincere man, without fraud, or any other artifice but silence; to which he had so accustomed the world, that it was not easy to know, whether he was silent on design, or custom. He had a great clearness of apprehension; and when any thing was proposed to him, how new soever, he heard all patiently, and then asked such questions as occurred to him: and by the time he had done all this, he was as much master of the proposition, as the person was that had made it. He knew nothing of modern history, nor of the state of courts, and was eminently defective in all points of form. But he laid down this for a maxim, that all princes and states followed their own interests; so, by observing what their true interests were, he thought he could without great intelligence calculate what they were about. He did not enough consider how far passions, amours, humours, and opinions wrought on the world, chiefly on princes. He had the notions of a commonwealth from the Greeks and Romans; and from them he came to fancy, that an army, commanded by officers of their own country, was both more in their own power, and would serve them with the more zeal, since they themselves had such an interest in the success. And so he was against their hiring foreigners, unless it was to be common soldiers, thereby to save their own people. But he did not enough consider the phlegm and covetousness of his countrymen, of which he felt the ill effects afterwards. This was his greatest error, and it turned fatally upon him: but for the administration of justice at home, and for the management of their trade, and their forces by sea, he was the ablest minister they ever had. He had an hereditary hatred to the house of Orange. He thought it was impossible to maintain their liberty, if they were still stadtholders. Therefore he did all that was possible to put an invincible bar in their way, by the perpetual edict: but at the same time he took great care of preserving the young prince's fortune, and looked well to his education, and gave him, as the prince himself told me, very

carefully kept the steerage himself, and, told him, 'that it was the duke's pleasure that he should slack the sails without taking notice of it to any man.' The master obeyed, considering that Mr. Brounker brought the order from the duke. The next morning the Dutch had got safely away. Some years after this was noticed in parliament, and Mr. Brounker, upon its being proved, was, in consequence, expelled the house of commons." It is somewhat a cause for suspicion, that notwithstanding this public disgrace, king James continued to patronise him; though, Clarendon adds, "he was a man throughout his whole life notorious for nothing but the highest degree of impudence, stooping to the most infamous offices, and playing chess very well, which preferred him more than the most virtuous qualities could have done." There is some cause to suspect that this withholding the pursuit was done with the privity of Mr. secretary Coventry, who continued both before and after Brounker's friend and patron. It is certain the duke was not deficient in courage.

There is a very interesting narrative of all the intrigues connected with, and the proceedings of this fleet, in the Continuation of Clarendon's Life, from which the above is extracted. The Dutch lost their chief admiral, Opdam, and eighteen of their best ships; the English had one small vessel destroyed, but lost a great many men, including many of distinction, as the earl of Falmouth, lord Muskerry, who was killed so close to the duke, that the latter was sprinkled with his blood; the earl of Marlborough, the earl of Portland, sir John Lawson, &c. The last-named was admiral of a squadron, and was a great loss to the service. He had risen from being a common sailor to the rank he held, entirely by his merit. The parliamentary inquiry into the conduct of the duke, &c. in this action, is in "Grey's Debates," i. 140, &c.

just notions of every thing relating to their state. For he said, he did not know but that at some time or other he would be set over them: therefore he intended to render him fit to govern well.

The town of Amsterdam became at that time very ungovernable. It was thought that the West-India company had been given up chiefly by their means; for it was in value so equal to the East-India company, that the actions of both were often exchanged for one another. When the bishop of Munster began his pretensions on the city of Munster, and on a great part of Westphalia, they offered themselves up to the States, if they would preserve them; but the town of Amsterdam would not consent to it, nor submit to the charge. Yet they never seemed to set up for a superiority over the rest, nor to break the credit of the court at the Hague; only they were backward in every thing that was proposed, that increased the charge. And they were become so weary of De Wit, that he felt how much the late miscarriage at sea had shaken his credit; since misfortunes are always imputed to the errors of those that govern. So he resolved to go on board. De Ruyter often said, that he was amazed to see, how soon he came to a perfect understanding of all the sea affairs. The winds were so long backward, that it was not easy to get their great ships through the Zuyder sea. So he went out in boats himself, and plumbed it all so carefully, that he found many more ways to get out by different winds, than was thought formerly practicable. He got out in time to be master of the sea, before the end of the season; and so recovered the affront of the former losses, by keeping at sea after the English fleet was forced to put in. The earl of Sandwich was sent to the north with a great part of the fleet, to watch for the East-India ships; but he was thought too remiss. They got, before he was aware of it, into Berghen in Norway. If he had followed them quickly, he would have forced the port, and taken them all. But he observed forms, and sent to the viceroy of Norway demanding entrance. That was denied him. But, while these messages went backward and forward, the Dutch had so fortified the entrance into the port, that, though it was attempted with great courage, yet Tiddiman, and those who composed that squadron, were beaten off with great loss, and forced to let go a very rich fleet: for which lord Sandwich was much blamed, though he was sent ambassador into Spain, that his disgrace might be a little softened by that employment. The duke's conduct was also much blamed; and, it was said, he was most in fault, but that the earl of Sandwich was made the sacrifice *.

Here I will add a particular relation of a transaction relating to that affair, taken from the account given of it by sir Gilbert Talbot, then the king's envoy at the court of Denmark, in a MS. that I have in my hands. That king did in June, 1665, open himself very freely to Talbot, complaining of the States, who, as he said, had drawn the Swedish war on him, on design that he might be forced to depend on them for supplies of money and shipping, and so to get the customs of Norway and the Sound into their hands for their security. Talbot upon that told him, that the Dutch Smyrna fleet was now in Berghen, besides many rich West-India ships; and that they staid there in expectation of a double East-India fleet, and of De Ruyter, who was returning with the spoils of the coast of Guinea. So he said, the king of Denmark might seize those ships before the convoy came, which they expected. The king of Denmark said, he had not strength to execute that. Talbot said, the king, his master, would send a force to effect it: but it was reasonable he should have half of the spoil. To which the king of Denmark readily agreed, and ordered him to propose it to his master. So he immediately transmitted it to the king, who approved of it, and promised to send a fleet to put it in execution. The ministers of Denmark were appointed to concert the matter with Talbot: but nothing was put in writing; for the king of Denmark was ashamed to treat of such an affair, otherwise than by word of mouth. Before the end of July, news came that De Ruyter with the East-India fleet was on the coast of Norway. Soon after he came into Berghen. The riches then in that port were reckoned at many millions.

The earl of Sandwich was then in those seas. So Talbot sent a vessel express to him with the news. But that vessel fell into the hands of the Dutch fleet, and was sent to Holland. The king of Denmark wrote to the viceroy of Norway, and to the governor of Berghen,

* There is a full account of this mismanaged affair in the Continuation of Clarendon's Life. It agrees with Burnet's statement.

ordering them to use all fair means to keep the Dutch still in their harbour, promising to send particular instructions in a few days to them how to proceed. Talbot sent letters with these, to be delivered secretly to the commanders of the English frigates, to let them know that they might boldly assault the Dutch in port; for the Danes would make no resistance, pretending a fear that the English might destroy their town; but that an account was to be kept of their prizes, that the king of Denmark might have a just half of all: they were not to be surprised if the Danes seemed at first to talk high: that was to be done for show; but they would grow calmer, when they came to engage. The earl of Sandwich sent his secretary to Talbot, to know the particulars of the agreement with the king of Denmark: but the vessel that brought him was ordered, upon landing the secretary, to come back to the fleet. So that it was impossible to send by that vessel what was desired. And no other ships could be got to carry back the secretary. And thus the earl of Sandwich went to attack the Dutch fleet without staying for an answer from Talbot, or knowing what orders the governor of Berghen had yet received: for though the orders were sent, yet it was so great a way, ten or twelve days' journey, that they could not reach the place, but after the English fleet had made the attack. The viceroy of Norway, who resided at Christiana, had his orders sooner, and sent out two galleys to communicate the agreement to the earl of Sandwich: but missed him, for he was then before Berghen. The governor of Berghen, not having yet the orders that the former express promised him, sent a gentleman to the English fleet, desiring they would make no attack for two or three days; for by that time he expected his orders. Clifford was sent to the governor, who insisted that till he had orders he must defend the port, but that he expected them in a very little time. Upon Clifford's going back to the fleet, a council of war was called, in which the officers, animated with the hope of a rich booty, resolved without further delay to attack the port, either doubting the sincerity of the Danish court, or unwilling to give them so large a share of that, on which they reckoned as already their prize. Upon this Tiddiman began the attack, which ended fatally. Divers frigates were disabled, and many officers and seamen were killed. The squadron was thus ruined, and Tiddiman was ready to sink: so he was forced to slip his cables, and retire to the fleet, which lay without the rocks. This action was on the third of August; and on the fourth the governor received his orders. So he sent for Clifford, and showed him his orders. But as the English fleet had by their precipitation forced him to do what he had done, so he could not, upon what had happened the day before, execute those orders till he sent an account of what had passed to the court of Denmark, and had the king's second orders upon it. And, if the whole English fleet would not stay in those seas so long, he desired they would leave six frigates before the harbour, and he would engage the Dutch should not in the mean while go out to sea. But the English were sullen upon their disappointment, and sailed away. The king of Denmark was unspeakably troubled at the loss of the greatest treasure he was ever like to have in his hands. This was a design well laid, that would have been as fatal to the Dutch as ignominious to the king of Denmark, and was by the impatient ravenousness of the English lost, without possibility of recovering it. And indeed there was not one good step made after this in the whole progress of the war.

England was at this time in a dismal state. The plague continued for the most part of the summer in and about London, and began to spread over the country. The earl of Clarendon moved the king to go to Salisbury: but the plague broke out there. So the court went to Oxford, where another session of parliament was held. And though the conduct at sea was severely reflected on, yet all that was necessary for carrying on the war another year was given. The house of commons kept up the ill humour they were in against the non-conformists very high. A great many of the ministers of London were driven away by the plague; though some few stayed. Many churches being shut up, when the inhabitants were in a more than ordinary disposition to profit by good sermons, some of the non-conformists upon that went into the empty pulpits, and preached; and, it was given out, with very good success: and in many other places they began to preach openly, not without reflecting on the sins of the court, and on the ill usage that they themselves had met with. This was represented very odiously at Oxford. So a severe bill was brought in,

requiring all the silenced ministers to take an oath, declaring it was not lawful on any pretence whatsoever to take arms against the king, or any commissioned by him, and that they would not at any time endeavour an alteration in the government of the church or state. Such as refused this were not to come within five miles of any city, or parliament borough, or of the church where they had served. This was much opposed in both houses, but more faintly in the house of commons. The earl of Southampton spoke vehemently against it in the house of lords. He said, he could take no such oath himself; for how firm soever he had always been to the church, yet, as things were managed, he did not know but he himself might see cause to endeavour an alteration. Doctor Earl, bishop of Salisbury, died at that time. But, before his death, he declared himself much against this act. He was the man of all the clergy for whom the king had the greatest esteem. He had been his subtutor, and had followed him in all his exile with so clear a character, that the king could never see or hear of any one thing amiss in him. So he, who had a secret pleasure in finding out any thing that lessened a man esteemed eminent for piety, yet had a value for him beyond all the men of his order *. Sheldon and Ward were the bishops that acted and argued most for this act, which came to be called *The Five-Mile Act*. All that were the secret favourers of popery promoted it: their constant maxim being, to bring all the sectaries into so desperate a state, that they should be at mercy, and forced to desire a toleration on such terms, as the king should think fit to grant it on. Clifford began to make a great figure in the house of commons. He was the son of a clergyman, born to a small fortune, but was a man of great vivacity. He was reconciled to the church of Rome before the Restoration. The lord Clarendon had many spies among the priests; and the news of this was brought him among other things. So when Clifford began first to appear in the house, he got one to recommend him to the lord Clarendon's favour. The lord Clarendon looked into the advice that was brought him; and by comparing things together, he perceived that he must be that man: and upon that he excused himself the best he could. So Clifford struck in with his enemies, and tied himself particularly to Bennet, made lord, and afterwards earl of Arlington †. While the act was before the house of commons, Vaughan, afterwards made chief justice of the common pleas, moved that the word "legally" might be added to the words "commissioned by the king:" but Finch, the attorney-general, said, that was needless; since, unless the commission was legal, it was no commission; and, to make it legal, it must be issued out for a lawful occasion, and to persons capable of it, and must pass in the due form of law. The other insisted that the addition would clear all scruples, and procure an universal compliance. But that could not be obtained, for it was intended to lay difficulties in the way of those against whom the act was levelled. When the bill came up to the lords, the earl of Southampton moved for the same addition: but was answered by the earl of Anglesey, upon the same grounds on which Finch went. Yet this

* Dr. John Earl well merited the esteem of all who knew him; for all who mention him agree with Isaac Walton in admiring his wisdom, his "sanctified learning," and his "pious, peaceable, primitive temper." Wood says, "his younger years were adorned with oratory, poetry, and witty fancies; and his elder with quaint preaching and subtle disputes. He translated Hook's "Ecclesiastical Polity" and the "Eikon Basilike" into Latin. He died at Oxford in November, 1675, aged about seventy-six.—Wood's Athenæ Oxon.

The good bishop might justly oppose "the Five-Mile Act," for it was a step in the progress of intolerant cruelty that only just fell short of the stake and fire. The Act of Uniformity and the Act against Conventicles had already forbidden Englishmen the enjoyment of liberty of conscience, and now this act took from them their accustomed means of subsistence, if they still dared to differ from the episcopal church. It had this among its clauses—"All persons in holy orders, or pretended holy orders, or pretending to holy orders," who should not have subscribed the Act of Uniformity, and sworn "that it is not lawful, *upon any pretence whatever*, to take arms against the king," should not come within five miles of any city, corporate town, borough sending members to parliament, or any parish or place wherein they have taken upon themselves to preach. In the Statute-book it is 17 Charles II., c. 2.

† Thomas Clifford, first lord Clifford, of Chudleigh, was the son of colonel Hugh Clifford, of Ugbrook, in Devonshire. His grandfather was a clergyman, which probably caused Burnet to make the erroneous statement in the text. His education was completed at Exeter college, Oxford, and the Middle Temple. He sat in parliament as the representative of Totnes: but his sanguine temperament delighted in other scenes of excitement, besides those of the senate, and prompted him to be present as a volunteer in many of our naval actions with the Dutch. He was successively envoy to the courts of Sweden and Denmark, comptroller of the king's household, and one of his privy council. This only led to other preferments, which will be mentioned in future pages.—Collins's Peerage; Wood's Athenæ; Prince's Worthies of Devon; Biograph. Britannica.

gave great satisfaction to many who heard it, this being the avowed sense of the legislators. The whole matter was so explained by Bridgman, when Bates, with a great many more, came into the court of common pleas to take the oath. The act passed: and the non-conformists were put to great straits. They had no mind to take the oath. And they scarce knew how to dispose of themselves according to the terms of the act. Some moderate men took pains to persuade them to take the oath. It was said by "endeavour" was only meant an unlawful endeavour; and that it was so declared in the debates of both houses. Some judges did on the bench expound it in that sense. Yet few of them * took it. Many more refused it, who were put to hard shifts to live, being so far seperated from the places from which they drew their chief subsistence. Yet as all this severity in a time of war, and of such a public calamity, drew very hard censures on the promoters of it, so it raised the compassions of their party so much, that I have been told they were supplied more plentifully at that time than ever. There was better reason, than perhaps those of Oxford knew, to suspect practices against the state.

Algernon Sidney, and some others of the commonwealth party, came to De Wit, and pressed him to think of an invasion of England and Scotland, and gave him great assurance of a strong party: and they were bringing many officers to Holland to join in the undertaking. They dealt also with some in Amsterdam, who were particularly sharpened against the king, and were for turning England again into a commonwealth. The matter was for some time in agitation at the Hague. But De Wit was against it, and got it to be laid aside. He said, their going into such a design would provoke France to turn against them: it might engage them in a long war, the consequences of which could not be foreseen: and, as there was no reason to think, that, while the parliament was so firm to the king, any discontents could be carried so far as to a general rising, which these men undertook for: so, he said, what would the effect be of turning England into a commonwealth, if it could possibly be brought about, but the ruin of Holland? Since it would naturally draw many of the Dutch to leave their country, which could not be kept and maintained but at a vast charge, to exchange it for the plenty and security that England afforded. Therefore all that he would engage in was, to weaken the trade of England, and to destroy their fleet; in which he succeeded the following year beyond all expectation. The busy men in Scotland being encouraged from Rotterdam, went about the country, to try if any men of weight would set themselves at the head of their designs for an insurrection. The earl of Cassilis and Lockhart were the two persons they resolved to try. But they did it at so great a distance, that, from the proposition made to them, there were no danger of misprision of treason. Lord Cassilis had given his word to the king, that he would never engage in any plots; and he had got under the king's hand a promise, that he and his family should not be disturbed, let him serve God in what way he pleased. So he did not suffer them to come so far as to make him any propositions. Lockhart did the same. They seeing no other person that had credit enough in the country to bring the people about him, gave over all the projects for that year. But, upon the informations that the king had of their caballing at Rotterdam, he raised those troops of which mention was formerly made.

An accident happened this winter at Oxford, too inconsiderable, and too tender to be mentioned, if it was not that great effects were believed to have followed on it. The duke had always one private amour after another, in the managing of which, he seemed to stand more in awe of the duchess, than, considering the inequality of their rank, could have been imagined. Talbot was looked on as the chief manager of those intrigues. The duchess's deportment was unexceptionable, which made her authority the greater. At Oxford there was then a very graceful young man of quality that belonged to her court, whose services were so acceptable, that she was thought to look at him in a particular manner. This was so represented to the duke, that he, being resolved to emancipate himself into more open practices, took up a jealousy; and put the person out of his court with so much precipitation, that the thing became very public by this means. The duchess lost the power she had over him so entirely, that no method she could think of was like to recover

* That is, the non-conformists.

it, except one. She began to discover what his religion was, though he still came not only to church, but to sacrament. And upon that she, to regain what she had lost, entered into private discourses with his priests; but in so secret a manner, that there was not for some years after this the least suspicion given. She began by degrees to slacken in her constant coming to prayers and to sacrament, in which she had been before that regular, almost to superstition. She excused that on her ill health: for she fell into an ill habit of body, which some imputed to the effect of some of the duke's distempers communicated to her. A story was set about, and generally believed, that the earl of Southesk, that had married a daughter of duke Hamilton's, suspecting some familiarities between the duke and his wife, had taken a sure method to procure a disease to himself, which he communicated to his wife, and was by that means sent round till it came to the duchess, who was so tainted with it that it was the occasion of the death of all her children, except the two daughters, our two queens; and was believed the cause of an illness under which she languished long, and died so corrupted, that in dressing her body after her death, one of her breasts burst, being a mass of corruption. Lord Southesk was for some years not ill pleased to have this believed. It looked like a peculiar strain of revenge, with which he seemed much delighted. But I know he has to some of his friends denied the whole of the story very solemnly. Another acted a better part. He did not like a commerce that he observed between the duke and his wife. He went and expostulated with him upon it. The duke fell a commending his wife much. He told him, he came not to seek his wife's character from him: the most effectual way of commending her, was to have nothing to do with her. He added, that if princes would do those wrongs to subjects, who could not demand such reparations of honour from them, as they could from their equals, it would put them on more secret methods of revenge: for some injuries were such, that men of honour could not bear them. And, upon a new observation he made of the duke's designs upon his wife, he quitted a very good post, and went with her into the country, where he kept her till she died. Upon the whole matter the duke was often ill. His children were born with ulcers, or they broke out upon them soon after: and all his sons died young, and unhealthy. This has, as far as any thing presumptive only, and not to be brought in the way of proof, prevailed to create a suspicion, that so healthy a child as the pretended prince of Wales could neither be his, nor be born of any wife, with whom he had lived long. The violent pain that his eldest daughter had in her eyes, and the gout which has early seized our present queen, are thought the dregs of a tainted original. Willis, the great physician, being called to consult for one of his sons, gave his opinion in those words, *mala stamina vitæ*, which gave such offence, that he was never called for afterwards.

I know nothing of the counsels of the year 1666, nor whose advices prevailed. It was resolved on that the duke should not go to sea; but that Monk should command the great fleet of between fifty and sixty ships of the line, and that prince Rupert should be sent with a squadron of about twenty-five ships, to meet the French fleet, and to hinder their conjunction with the Dutch: for the French had promised a fleet to join the Dutch, but never sent it. Monk went out so certain of victory, that he seemed only concerned for fear the Dutch should not come out. The court flattered themselves with the hopes of a very happy year: but it proved a fatal one: the Dutch fleet came out, De Wit and some of the States being on board. They engaged the English fleet for two days, in which they had a manifest superiority. But it cost them dear; for the English fought well. But the Dutch were superior in number, and were so well furnished with chained shot (a peculiar contrivance of which De Wit had the honour to be thought the inventor), that the English fleet was quite unrigged. And they were in no condition to work themselves off. So they must have all been taken, sunk, or burnt, if prince Rupert, being yet in the Channel, and hearing that they were engaged by the continued roaring of guns, had not made all possible haste to get to them. He came in good time. And the Dutch, who had suffered much, seeing so great a force come up, sheered off. He was in no condition to pursue them; but brought off our fleet, which saved us a great loss that seemed otherwise unavoidable. The court gave out that it was a victory: and public thanksgivings were ordered, which was a horrid mocking of God, and a lying to the world. We had in one respect reason to thank God,

that we had not lost our whole fleet. A dreadful fire completed the miseries of this year: the plague was so sunk in London, that the inhabitants began to return to it, and brought with them a great deal of manufacture, which was lying on the hands of the clothiers and others, now in the second year of the war, in which trade and all other consumptions were very low. It was reckoned, that a peace must come next winter. The merchants were upon that preparing to go to market as soon as possible. The summer had been the driest that was known for some years. And London being for the most part built of timber filled up with plaster, all was extremely dry. On the second of September a fire broke out, that raged for three days, as if it had a commission to devour every thing that was in its way. On the fourth day it stopped in the midst of very combustible matter.

I will not enlarge on the extent nor the destruction made by the fire: many books are full of it. That which is still a great secret is, whether it was casual, or raised on design. The English fleet had landed on the Vly, an island lying near the Texel, and had burnt it: upon which some came to De Wit, and offered as revenge, that, if they were assisted, they would set London on fire. He rejected the proposition: for he said, he would not make the breach wider, nor the quarrel irreconcileable. He said it was brought him by one of the Labadists, as sent to them by some others. He made no farther reflections on the matter till the city was burnt. Then he began to suspect there had been a design, and that they had intended to draw him into it, and to lay the odium of it upon the Dutch. But he could hear no news of those who had sent that proposition to him. In the April before, some commonwealth's-men were found in a plot, and hanged; who at their execution confessed, they had been spoken to, to assist in a design of burning London on the second of September. This was printed in the *Gazette* of that week, which I myself read. Now the fire breaking out on the second, made all people conclude, that there was a design some time before on foot for doing it.

The papists were generally charged with it. One Hubert, a French papist, was seized in Essex, as he was getting out of the way in great confusion. He confessed, he had begun the fire, and persisted in his confession to his death; for he was hanged upon no other evidence but that of his own confession. It is true, he gave so broken an account of the whole matter, that he was thought mad. Yet he was blindfolded, and carried to several places of the city: and then, his eyes being opened, he was asked if that was the place: and he being carried to wrong places, after he looked round about for some time, he said, that was not the place: but when he was brought to the place where it first broke out, he affirmed that was the true place. And Tillotson told me, that Howell, then the recorder of London, was with him, and had much discourse with him; and that he concluded it was impossible that it could be a melancholy dream: the horror of the fact, and the terror of death, and perhaps some engagements in confession, might put him in such disorder, that it was not possible to draw a clear account of any thing from him, but of what related to himself. Tillotson, who believed that the city was burnt on design, told me a circumstance, that made the papists employing such a crazed man, in such a service, more credible. Langhorn, the popish counsellor at law, who for many years passed for a protestant, was despatching a half-witted man to manage elections in Kent before the Restoration. Tillotson, being present, and observing what a sort of man he was, asked Langhorn, how he could employ him in such services. Langhorn answered, it was a maxim with him, in dangerous services, to employ none but half-witted men, if they could be but secret and obey orders: for if they should change their minds, and turn informers instead of agents, it would be easy to discredit them, and to carry off the weight of any discoveries they could make, by showing they were madmen, and so not like to be trusted in critical things.

The most extraordinary passage, though it is but a presumption, was told me by Dr. Lloyd and the countess of Clarendon. The latter had a great estate in the New River, that is brought from Ware to London, which is brought together at Islington, where there is a great room full of pipes, that convey it through all the streets of London. The constant order of that matter was, to set all the pipes running on Saturday night, that so the cisterns might be all full by Sunday morning, there being a more than ordinary consumption

of water on that day. There was one Grant, a papist, under whose name sir William Petty published his observations on the bills of mortality: he had some time before applied himself to Lloyd, who had great credit with the countess of Clarendon; and said, he could raise that estate considerably, if she would make him a trustee for her. His schemes were probable: and he was made one of the board that governed that matter: and by that he had a right to come, as oft as he pleased, to view their works at Islington. He went thither the Saturday before the fire broke out, and called for the key of the place where the heads of the pipes were, and turned all the cocks that were then open, and stopped the water, and went away, and carried the keys with him. So when the fire broke out next morning, they opened the pipes in the streets to find water, but there was none. And some hours were lost in sending to Islington, where the door was to be broken open, and the cocks turned. And it was long before the water got to London. Grant indeed denied that he had turned the cocks. But the officer of the works affirmed, that he had, according to order, set them all running, and that no person had got the keys from him, beside Grant; who confessed he had carried away the keys, but pretended he did it without design. There were many other stories set about, as that the papists in several places had asked, if there was no news of the burning of London, and that it was talked of in many parts beyond sea, long before the news could get thither from London. In this matter I was much determined by what sir Thomas Littleton, the father, told me. He was a man of a strong head, and sound judgment. He had just as much knowledge in trade, history, the disposition of Europe, and the constitution of England, as served to feed and direct his own thoughts, and no more. He lived all the summer long in London, where I was his next neighbour, and had for seven years a constant and daily conversation with him. He was treasurer of the navy in conjunction with Osborn, who was afterwards lord treasurer, who supplanted him in that post, and got it all into his own hands. He had a very bad opinion of the king; and thought, that he had worse intentions than his brother, but that he had a more dexterous way of covering and managing them; only his laziness made him less earnest in prosecuting them. He had generally the character of the ablest parliament man in his time. His chief estate lay in the city, not far from the place where the fire broke out, though it did not turn that way. He was one of the committee of the house of commons, that examined all the presumptions of the city's being burnt on design: and he often assured me, that there was no clear presumption made out about it, and that many stories, which were published with good assurance, came to nothing upon a strict examination. He was at that time, that the inquiry was made, in employment at court. So, whether that biassed him, or not, I cannot tell. There was so great a diversity of opinions in the matter, that I must leave it under the same uncertainty in which I found it. If the French and Dutch had been at that time designing an impression elsewhere, it might have been more reasonable to suppose it was done on design to distract our affairs. But it fell out at a dead time, when no advantage could be made of it. And it did not seem probable, that the papists had engaged in the design, merely to impoverish and ruin the nation; for they had nothing ready then to graft upon the confusion that this put all the people in. Above twelve thousand houses were burnt down, with the greatest part of the furniture and merchandise that was in them. All means used to stop it proved ineffectual; though the blowing up of houses was the most effectual of any. But the wind was so high, that fleaks of fire and burning matter were carried in the air across several streets. So that the fire spread not only in the next neighbourhood, but at a great distance. The king and the duke were almost all the day long carried back with the guards, seeing to all that could be done, either for quenching the fire, or for carrying off persons and goods to the fields all about London. The most astonishing circumstance of that dreadful conflagration was, that, notwithstanding the great destruction that was made, and the great confusion in the streets, I could never hear of any one person that was either burnt, or trodden to death. The king was never observed to be so much struck with any thing in his whole life, as with this. But the citizens were not so well satisfied with the duke's behaviour. They thought he looked too gay, and too little concerned. A jealousy of his being concerned in it was spread about with great industry, but

with very little appearance of truth. Yet it grew to be generally believed, chiefly after he owned he was a papist *.

In Scotland the fermentation went very high. Turner was sent again into the west in October this year: and he began to treat the country at the old rate. The people were

* Clarendon, another contemporary, has given a still fuller account of this vast conflagration, confirming all Burnet's statements, but adding many more particulars. He says the fire commenced at midnight, on Saturday, the 1st of September, or nearer the morning of Sunday, in a baker's shop at the end of Thames-street next the Tower. The fire spread so rapidly, the streets and alleys being narrow, the houses built of timber, and stored with combustible materials, that the people seemed confounded. It raged furiously all the day, the people only gazing upon it, buckets not supplying water fast enough to check it, no one knowing how to act, and the magistrates issuing no orders. The Tower was considered in imminent danger, but in the night the wind changed, so that those who went to bed late, at a great distance from any part of the fire, were awakened before morning by their own house being in flames. On Monday morning a suspicion arose that the fire was the result of a conspiracy; "the authors were concluded to be all the Dutch and all the French in the town, though they had inhabited the same places above twenty years. All of that kind, or, if they were strangers, of what nation soever, were laid hold of; and after all the ill usage that can consist in words, with some blows and kicks, they were thrown into prison. Shortly after, the same conclusion comprehended all the Roman Catholics, and though they kept within doors, some of them, and of quality, were taken by force out of their houses and carried to prison." This conspiracy was so generally and firmly believed, that any one controverting the suspicion was immediately suspected. It was strengthened by the different points in which it continued to break out; and testimony was not wanting that the incendiaries had been seen throwing fire-balls into houses, as a servant of the Portuguese ambassador was brought before lords Hollis and Ashley upon this charge. A substantial citizen was ready to make oath, that he saw the prisoner take a combustible from his pocket, and throw it into a shop, which immediately took fire. But upon examination it came out, that this Portuguese as he walked along, saw a piece of bread upon the ground, which he picked up, and laid upon a shelf in the next house, which is a custom or superstition so common in Portugal, that its king would act in this manner. The bread was found where the prisoner described, and the fire had burst out two doors from the house in which he had placed it! "The fire and the wind continued in the same excess all Monday, Tuesday, and Wednesday until the afternoon, and scattered brands into all quarters; the nights more terrible than the days, and the light the same, the light of the fire supplying that of the sun. Indeed, whoever was an eye-witness of that terrible prospect, can never have so lively an image of the last conflagration till he beholds it; the faces of all people in a wonderful dejection and discomposure, not knowing where they could repose themselves for one hour's sleep, and no distance thought secure from the fire, which suddenly started up before it was suspected; so that people left their houses, and carried away their goods from many places which received no hurt, and whither they afterwards returned again; all the fields full of women and children, who made a shift to bring thither some goods and conveniences to rest upon as safer than any houses, where yet they felt such intolerable heat and drought, as if they had been in the middle of the fire." Clarendon makes the same statement respecting the activity of the king and the duke of York; but does not object to any misplaced cheerfulness of the latter. The fire "continued in its fury a direct line to the Thames side, all Cheapside from beyond the Exchange, through Fleet-street; insomuch, as for that breadth, taking in both sides as far as the Thames, there was scarcely a house or church standing from London Bridge to Dorset House, which was burned on Tuesday night, after Baynard's Castle." The king despaired of saving Whitehall, but was most fearful of the safety of Westminster Abbey. "But it pleased God, contrary to all expectation, that on Wednesday, about four or five of the clock in the afternoon, the wind fell; and as in an instant the fire decreased, having burnt all on the Thames side to the new buildings of the Inner Temple next to Whitefriars, and was stopped by that vacancy from proceeding farther into that house, but laid hold on some old buildings which joined to Ram Alley, and swept all those into Fleet Street; and the other side being destroyed to Fetter Lane." As soon as the fire abated, the king's first care was to obtain a speedy supply of corn and other provisions from the country for the houseless sufferers; and in four days, "which was more miraculous," all found shelter either with their friends, or in huts built upon the ruins of their own houses. The chief justice was sent for from the country to examine witnesses, and endeavour to discover whether there was any truth in the reported conspiracy.—Notwithstanding the popular excitement and clamour, no just grounds for suspecting its existence could be detected. It is true the inscription on the London Monument says otherwise, but, as the poet justly describes it,

"Like a tall bully, rears its head, and *lies*."

Hubert, mentioned by Burnet, was the son of a famous watchmaker at Rouen: he had worked for some years in London, and both here and in his native city was considered insane. Notwithstanding the startling fact of his identifying the place where the fire first commenced, but which he might have easily done from knowing the premises before the calamity occurred, the whole of his examination was so incoherent and absurd, that the lord chief justice, who was rather rigorous, told the king "he did not believe the prisoner guilty." This was the general opinion of the judges and others at his trial, but the jury found him guilty, and the king did not extend to him that mercy which is one of the brightest points of his prerogative. "Certain it is," continues Clarendon, "that upon the strictest examination that could be afterwards made by the king's command, and then by the diligence of the house, that upon the general jealousy and rumour appointed a committee, that was very diligent, there was never any probable evidence (that poor creature's excepted) that there was any other cause of that woful fire, than the displeasure of Almighty God: the first accident of its beginning in a baker's shop, where there was so great a stock of faggots, and the neighbourhood of much combustible matter, pitch, resin, &c., led it in an instant from house to house through Thames Street, with the agitation of so terrible a wind to scatter it."

Above two-thirds of the city were reduced to ashes, and those "the most rich and wealthy parts, where the greatest warehouses and the best shops stood: the Royal Exchange, with all the streets about it, Lombard Street, Cheapside, Paternoster Row, St. Paul's Church, with almost all the other city churches, the Old Bailey, Ludgate, all Paul's Church-yard even to the Thames, and the greatest part of Fleet Street." The value of what

alarmed, and saw they were to be undone. They met together and talked with some fiery ministers. Semple, Maxwell, Welsh, and Guthry were the chief incendiaries. Two gentlemen that had served in the wars, one a lieutenant-colonel, Wallace, and the other that had been a major, Learmonth, were the best officers they had to rely on. The chief gentlemen of those counties were all clapped up in prison, as was formerly told. So that preserved them: otherwise they must either have engaged with the people, or have lost their interest among them. The people were told, that the fire of London had put things in that confusion at court, that any vigorous attempt would disorder all the king's affairs. If the newly levied troops had not stood in their way, they would have been able to have carried all things against them: for the two troops of guards, with the regiment of foot guards, would not have been able to have kept their ground before them. The people, as some of them told me afterwards, were made to believe that the whole nation was in the same disposition. So on the thirteenth of November they ran together; and two hundred of them went to Dumfries, where Turner then lay with a few soldiers about him; the greatest part of his men being then out in parties, for the levying of fines. So they surprised him before he could get to his arms: otherwise, he told me, he would have been killed rather than taken, since he expected no mercy from them. With himself they seized his papers and instructions, by which it appeared he had been gentler than his orders were. So they resolved to keep him, and exchange him as occasion should be offered. But they did not tell him what they intended to do with him: so he thought, they were keeping him, till they might hang him up with the more solemnity. There was considerable cash in his hands, partly for the pay of his men, partly of the fines which he had raised in the country, that was seized; but he, to whom they trusted the keeping of it, ran away with it. They spread a report, which they have since printed, and it passed for some time current, that this rising was the effect of a sudden heat, that the country was put into, by seeing one of their neighbours tied on a horse hand and foot, and carried away, only because he could not pay a high fine that was set upon him; and that upon this provocation the neighbours who did not know how soon such usage would fall to their own turn ran together, and rescued him; and that, fearing some severe usage for that, they kept together, and that, others coming in to them, they went on, and seized Turner. But this was a story made only to beget compassion: for, after the insurrection was quashed, the privy council sent some round the country, to examine the violences that had been committed, particularly in the parish where it was given out that this was done. I read the report they made to the council, and all the depositions that the people of the country made before them: but this was not mentioned in any one of them.

The news of this rising was brought to Edinburgh, fame increasing their numbers to some thousands. And this happening to be near Carlisle, the governor of that place sent an express to court, in which the strength of the party was magnified much beyond the truth. The earl of Rothes was then at court, who had assured the king, that all things were so well managed in Scotland, that they were in perfect quiet. There were, he said, some stubborn fanatics still left that would be soon subdued: but there was no danger from any thing that they or their party could do. He gave no credit to the express from Carlisle: but, two days after, the news was confirmed by an express from Scotland. Sharp was then

was destroyed could never be nearly computed. The Stationers' Company lost 200,000*l*." The lord mayor, sir Thomas Bludworth, was much blamed for not acting more energetically. When requested to order houses to be pulled down, to cut off the means of communication from the flames, he made no other answer than, "he durst not do it without the consent of the owners."—Continuation of Clarendon's Life, 348, &c.

One of the inscriptions on the Monument thus details the extent of the destruction. "It consumed 89 churches; the City Gates; Guildhall; many public structures: 32,000 private houses; 400 streets. Of the 26 wards it totally destroyed 15, and half-burnt 8 others. The ruins occupied 436 acres."

Although, when rebuilt, the city was incalculably improved by the houses being built more substantially, and the streets wider, yet the opportunity was lost of exercising the authority of the legislature, which for the public welfare might justly have enacted, that the plans of sir Christopher Wren should be pursued, which would have rendered London the most elegant and most convenient city of Europe. One great national benefit that was suggested by the calamity, originated with Dr. Barrow, one of the chief rebuilders of the city. This was the institution of an Insurance Office, afterwards sanctioned by the government.

at the head of the government: so he managed this little war, and gave all the orders and directions in it. Dalziel was commanded to draw all the forces they had together which lay then dispersed in quarters. When that was done, he marched westward. A great many ran to the rebels, who came to be called *Whigs*. At Lanark in Clydesdale they had a solemn fast day, in which, after much praying, they renewed the covenant, and set out their manifesto: in which they denied, that they rose against the king; they complained of the oppression under which they had groaned; they desired that episcopacy might be put down, and that presbytery, and the covenant, might be set up, and their ministers restored again to them; and then they promised, that they would be in all other things the king's most obedient subjects. The earl of Argyle raised fifteen hundred men, and wrote to the council that he was ready to march upon order. Sharp thought, that if he came into the country, either he or his men would certainly join with the rebels: so he sent him no order at all. But he was at the charge of keeping his men together to no purpose. Sharp was all the while in a dreadful consternation, and wrote dismal letters to court, praying that the forces which lay in the north of England might be ordered down: for, he wrote, they were surrounded with the rebels, and did not know what was become of the king's forces. He also moved, that the council would go, and shut themselves up in the Castle of Edinburgh. But that was opposed by the rest of the board, as an abandoning of the town, and the betraying an unbecoming fear, which might very much encourage the rebels, and such as intended to go over to them. Orders were given out for raising the country: but there was no militia yet formed. In the meanwhile Dalziel followed the rebels as close as he could. He published a proclamation of pardon, as he was ordered, to all that should in twenty-four hours' time return to their houses, and declared all that continued any longer in arms rebels. He found the country was so well affected towards them, that he could get no sort of intelligence, but what his own parties brought in to him. The Whigs marched towards Edinburgh, and came within two miles of the town. But, finding neither town nor country declare for them, and that all the hopes their leaders had given them proved false, they lost heart. From being once above two thousand they were now come to be not above eight or nine hundred. So they resolved to return back to the west, where they knew the people were of their side; and where they could more easily disperse themselves, and get either into England or Ireland. The ministers were very busy in all those counties, plying people of rank not to forsake their brethren in this extremity. And they had got a company of about three or fourscore gentlemen together, who were marching towards them, when they heard of their defeat: and upon that they dispersed themselves. The rebels thought to have marched back by the way of Pentland Hill. They were not much concerned for the few horses they had. And they knew that Dalziel, whose horse was fatigued with a fortnight's constant march, could not follow them. And if they had gained but one night more in their march, they had got out of his reach. But on the twenty-eighth of November, about an hour before sunset, he came up to them. They were posted on the top of a hill: so he engaged with a great disadvantage. They, finding they could not get off, stopped their march. Their ministers did all they could by preaching and praying to infuse courage into them: and they sung the seventy-fourth and the seventy-eighth psalms. And so they turned on the king's forces. They received the first charge that was given by the troop of guards very resolutely, and put them in disorder. But that was all the action; for immediately they lost all order, and ran for their lives. It was now dark: about forty were killed on the spot and a hundred and thirty were taken. The rest were favoured by the darkness of the night, and the weariness of the king's troops, that were not in case to pursue them and had no great heart to it: for they were a poor harmless company of men, become mad by oppression: and they had taken nothing during all the time they had been together, but what had been freely given them by the country people. The rebellion was broken with the loss of only five on the king's side. The general came next day into Edinburgh with his prisoners.

¶ The two archbishops were now delivered out of all their fears: and the common observation that cruelty and cowardice go together, was too visibly verified on this occasion. Lord Rothes came down full of rage: and that being inflamed by the two archbishops, he resolved to proceed with the utmost severity against the prisoners. Burnet advised the

hanging of all those who would not renounce the covenant, and promise to conform to the laws for the future: but that was thought too severe. Yet he was sent up to London, to procure of the king an instruction, that they should tender the declaration renouncing the covenant to all who were thought disaffected; and proceed against those who refused that, as against seditious persons. The best of the episcopal clergy set upon the bishops, to lay hold on this opportunity for regaining the affections of the country, by becoming intercessors for the prisoners, and for the country, that was like to be quartered on and eaten up, for the favour they had expressed to them. Many of the bishops went into this, and particularly Wishart of Edinburgh, though a rough man, and sharpened by ill usage. Yet upon this occasion he expressed a very Christian temper, such as became one who had felt what the rigours of a prison had been; for he sent every day very liberal supplies to the prisoners; which was indeed done by the whole town, in so bountiful a manner, that many of them, who being shut up had neither air nor exercise, were in greater danger by their plenty, than they had been by all their unhappy campaign. But Sharp could not be mollified. On the contrary he encouraged the ministers, in the disaffected counties, to bring in all the informations they could gather, both against the prisoners, and against all those who had been among them, that they might be sought for, and proceeded against. Most of those got over to Ireland. But the ministers in those parts acted so ill a part, so unbecoming their characters, that the aversion of the country to them was increased to all possible degrees: they looked on them now as wolves, and not as shepherds. It was a moving sight to see ten of the prisoners hanged upon one gibbet at Edinburgh: thirty-five more were sent to their countries, and hanged up before their own doors; their ministers all the while using them hardly, and declaring them damned for their rebellion. They might all have saved their lives, if they would have renounced the covenant: so they were really a sort of martyrs for it. They did all at their death give their testimony, according to their phrase, to the covenant, and to all that had been done pursuant to it: and they expressed great joy in their sufferings. Most of them were but mean and inconsiderable men in all respects: yet even these were firm and inflexible in their persuasions: many of them escaped, notwithstanding that great search was made for them. Guthry, the chief of their preachers, was hid in my mother's house, who was bred to her brother Wariston's principles, and could never be moved from them: he died next spring. One Maccail, that was only a probationer preacher, and who had been chaplain in sir James Steward's house, had gone from Edinburgh to them. It was believed, he was sent by the party in town, and that he knew their correspondents. So he was put to the torture, which in Scotland they call the boots; for they put a pair of iron boots close on the leg, and drive wedges between these and the leg. The common torture was only to drive these in the calf of the leg: but I have been told they were sometimes driven upon the shin bone. He bore the torture with great constancy: and either he could say nothing, or he had the firmness not to discover those who had trusted him. Every man of them could have saved his own life, if he would accuse any other: but they were all true to their friends. Maccail, for all the pains of the torture, died in a rapture of joy: his last words were, "Farewell sun, moon, and stars, farewell kindred and friends, farewell world and time, farewell weak and frail body, welcome eternity, welcome angels and saints, welcome Saviour of the world, and welcome God the Judge of all;" which he spoke with a voice and manner that struck all that heard it.

His death was the more cried out on, because it came to be known afterwards, that Burnet, who had come down before his execution, had brought with him a letter from the king, in which he approved of all that they had done; but added, that he thought there was blood enough shed, and therefore he ordered that such of the prisoners, as should promise to obey the laws for the future, should be set at liberty, and that the incorrigible should be sent to the plantations. Burnet let the execution go on, before he produced his letter, pretending there was no council day between. But he, who knew the contents of it, ought to have moved the lord Rothes to call an extraordinary council to prevent the execution. So that blood was laid on him. He was, contrary to his natural temper, very violent at that time, much inflamed by his family, and by all about him. Thus this rebellion, that might have been so turned in the conclusion of it, that the clergy might have gained reputation and honour

by a wise and merciful conduct, did now exasperate the country more than ever against the church. The forces were ordered to lie in the west, where Dalziel acted the Muscovite too grossly. He threatened to spit men, and to roast them: and he killed some in cold blood, or rather in hot blood; for he was then drunk, when he ordered one to be hanged, because he would not tell where his father was, for whom he was in search. When he heard of any that did not go to church, he did not trouble himself to set a fine upon him: but he set as many soldiers upon him, as should eat him up in a night *. By this means all people were struck with such a terror, that they came regularly to church. And the clergy were so delighted with it, that they used to speak of that time, as the poets do of the golden age. They never interceded for any compassion to their people; nor did they take care to live more regularly, or to labour more carefully. They looked on the soldiery as their patrons: they were ever in their company, complying with them in their excesses: and, if they were not much wronged, they rather led them into them, than checked them for them. Dalziel himself and his officers were so disgusted with them, that they increased the complaints, that had now more credit from them, than from those of the country, who were looked on as their enemies. Things of so strange a pitch in vice were told of them, that they seemed scarcely credible. The person, whom I believed the best as to all such things, was one sir John Cunningham, an eminent lawyer, who had an estate in the country, and was the most extraordinary man of his profession in that kingdom. He was episcopal beyond most men in Scotland, who for the far greatest part thought, that forms of government were in their own nature indifferent, and might be either good or bad according to the hands in which they fell; whereas he thought episcopacy was of a divine right, settled by Christ. He was not only very learned in the civil and canon law, and in the philosophical learning, but was very universal in all other learning: he was a great divine, and well read in the fathers, and in ecclesiastical history. He was, above all, a man of eminent probity, and of a sweet temper, and indeed one of the most pious men of the nation. The state of the church in those parts went to his heart: for it was not easy to know, how to keep an even hand between the perverseness of the people on the one side, and the vices of the clergy on the other. They looked on all those that were sensible of their miscarriages, as enemies of the church. It was after all hard to believe all that was set about against them.

The king's affairs in England forced him to soften his government every where. So at this time the earls of Tweedale and Kincardine went to court, and laid before the king the ill state the country was in. Sir Robert Murray talked often with him about it. Lord Lauderdale was more cautious by reason of the jealousy of his being a presbyterian. Upon all which the king resolved to put Scotland into other hands. A convention of estates had been called the year before, to raise money for maintaining the troops. This was a very ancient practice in the Scottish constitution: a convention was summoned to meet within twenty days: they could only levy money, and petition for the redress of grievances; but could make no new laws; and meddle only with that for which they were brought together. In the former convention Sharp had presided, being named by the earl of Rothes as the king's commissioner. In the winter 1666, or rather in the spring 1667, there was another convention called, in which the king, by a special letter, appointed duke Hamilton to preside. And the king, in a letter to lord Rothes, ordered him to write to Sharp to stay within his own diocese, and to come no more to Edinburgh. He upon this was struck with so deep a melancholy, that he shewed as great an abjectness under this slight disgrace, as he had shewed insolence before, when he had more favour. The convention continued the assessment for another year at 6,000*l.* a month. Sharp, finding he was now under a cloud, studied to make himself popular by looking after the education of the marquis of Huntley, now duke of Gordon. He had an order long before from the king to look to his education, that he

* General Thomas Dalziel, or Dalyell, was a good soldier, and firm in his loyalty; what other merits he possessed are unknown to the editor. He never shaved his beard after the execution of Charles the First, it consequently descended almost to his girdle. He was taken prisoner by Cromwell at the battle of Worcester; but, after a long imprisonment, he escaped from the Tower, and fought in the Russian service against the Tartars and Poles until the year 1665, when he was recalled by Charles the Second. He continued as lieutenant-general in Scotland until his death in 1685. Characteristic anecdotes of him are given in sir John Dalrymple's Memoirs, and in Captain Creichton's Memoirs, printed in Swift's Works.—Grainger's Biog. History.

might be bred a protestant; for the strength of popery within that kingdom lay in his family. But, though this was ordered during the earl of Middleton's ministry, Sharp had not all this while looked after it. The earl of Rothes's mistress was a papist, and nearly related to the marquis of Huntley. So Sharp, either to make his court the better, or at the Lord Rothes's desire, had neglected it these four years: but now he called for him. He was then above fifteen, well hardened in his prejudices by the loss of so much time. What pains were taken on him, I know not. But, after a trial of some months, Sharp said, he saw he was not to be wrought on, and sent him back to his mother. So the interest that popery had in Scotland, was believed to be chiefly owing to Sharp's compliance with the earl of Rothes's amours. The neglect of his duty in so important a matter was much blamed: but the doing it upon such a motive was reckoned yet more infamous. After the convention was over, lord Rothes sent up Drummond to represent to the king the ill affections of the western parts. And, to touch the king in a sensible point, he said, the covenant stuck so deep in their hearts, that no good could be done till that was rooted out. So he proposed, as an expedient, that the king would give the council a power, to require all whom they suspected to renounce the covenant, and to proceed against such as refused it as traitors. Drummond had yet too much the air of Russia about him, though not with Dalziel's fierceness: he had a great measure of knowledge and learning, and some true impressions of religion: but he thought that upon such powers granted, there would be great dealing in bribes and confiscations. A slight accident happened, which raised a jest that spoiled his errand. The king flung the cover of the letter from Scotland into the fire, which was carried up all in a flame, and set the chimney on fire: upon which it was said, that the Scotch letter had fired Whitehall: and it was answered, the cover had almost set Whitehall on fire, but the contents of it would certainly set Scotland all in a flame. It was said that the law for renouncing the covenant, inferring only a forfeiture of employments, to those who refused it, the stretching it so far as was now proposed would be liable to great exception. Yet in compliance with a public message the instruction was sent down as it was desired: but by a private letter lord Rothes was ordered to make no use of it, except upon a special command; since the king had only given way to what was desired, to strike terror into the ill affected. The secret of it broke out: so it had no effect, but to make the lord Rothes and his party more odious. Burnet, upon Sharp's disgrace, grew to be more considered. So he was sent up with a proposition of a very extraordinary nature, that the western counties should be cantoned under a special government, and peculiar taxes, together with the quartering of soldiers upon them. It was said, that those counties put the nation to the charge of keeping up such a force: and therefore it seemed reasonable that the charge should lie wholly on them. He also proposed that a special council should be appointed to sit at Glasgow: and, among other reasons to enforce that motion, he said to the king, and afterwards to lord Lauderdale, that some at the council board were ill affected to the church, and favoured her enemies, and that traitors had been pleaded for at that board. Lord Lauderdale wrote down presently to know what ground there was for this; since, if it was not true, he had Burnet at mercy for leasing-making, which was more criminal when the whole council was concerned in the lie that was made. The only ground for this was, that one of the rebels, excepted in the indemnity that was proclaimed some time before, being taken, and, it being evident that his brain was turned, it was debated in council, whether he should be proceeded against, or not: some argued against that, and said, it would be a reproach to the government to hang a madman. This could in no sort justify such a charge: so lord Lauderdale resolved to make use of it in due time. The proposition itself was rejected, as that which the king could not do by law. Burnet upon this went to the lord Clarendon, and laid before him the sad state of their affairs in Scotland. He spoke to the king of it: and he took care to set the English bishops on the king, with whom Burnet had more credit, as more entirely theirs, than ever Sharp had. The earl of Clarendon's credit was then declining: and it was a clear sign of it, when the king told lord Lauderdale all that he had said to him on Scotch affairs, which provoked him extremely. Burnet was sent down with good words: but the king was resolved to put the affairs of Scotland under another management. Lord Kincardine came down in April, and told me that the Lord Rothes was to

be stripped of all his places, and to be only lord chancellor. The earl of Tweedale and sir Robert Murray were to have the secret in their hands. He told me, the peace was as good as made: and when that was done, the army would be disbanded; and things would be managed with more temper both in church and state. This was then so great a secret that neither the Lord Rothes, nor the two archbishops, had the least hint of it. Some time after this, lord Rothes went to the north: upon which an accident happened that hastened his fall.

The Scots had, during the war, set out many privateers; and these had brought in many rich prizes. The Dutch, being provoked with this, sent Van Ghendt with a good fleet into the Frith, to burn the coast, and to recover such ships as were in that part. He came into the Frith on the first of May. If he had at first hung out English colours, and attacked Leith harbour immediately, which was then full of ships, he might have done what mischief he pleased: for all were secure, and were looking for sir Jeremy Smith with some frigates, for the defence of the coast, since the king had set out no fleet this year. There had been such a dissipation of treasure, that, for all the money that was given, there was not enough left to set out a fleet. But the court covered this by saying, the peace was as good as concluded at Breda, where the lord Hollis and sir William Coventry were treating about it as plenipotentiaries: and though no cessation was agreed on, yet they reckoned on it as sure. Upon this, a saying of the earl of Northumberland's was much repeated: when it was said, that the king's mistress was like to ruin the nation, he said, it was she that saved the nation. While we had a house of commons that gave all the money that was asked, it was better to have the money squandered away in luxury and prodigality, than to have it saved for worse purposes. Van Ghendt did nothing in the Frith for some hours: he shot against Brunt-island without doing any mischief. The country people ran down to the coast, and made a great show. But this was only a feint, to divert the king from that which was chiefly intended: for he sailed out, and joined De Ruyter: and so the shameful attack was made upon the river of Medway: the chain at the mouth of it, which was then all its security, was broken: and the Dutch fleet sailed up to Chatham: of which I will say no more in this place, but go on with the affairs of Scotland.

Lord Rothes being out of the way when the country was in such danger, was severely aggravated by the lord Lauderdale, and did bring on the change somewhat the sooner. In June, sir Robert Murray came down with a letter from the king superseding lord Rothes's commission, putting the treasury in commission, and making lord Rothes lord chancellor. He excused himself from being raised to that post all he could; and desired to continue lord treasurer: but he struggled in vain, and was forced to submit at last. Now all was turned to a more sober, and more moderate management. Even Sharp grew meek and humble: and said to myself, "it was a great happiness to have to deal with sober and serious men; for lord Rothes and his crew were perpetually drunk." When the peace of Breda was concluded, the king wrote to the Scotch council, and communicated that to them; and with that signified, that it was his pleasure that the army should be disbanded. The earl of Rothes, Burnet, and all the officers, opposed this much. The rebellious disposition of the western counties was much aggravated: it seemed necessary to govern them by a military power. Several expedients were proposed on the other hand. Instead of renouncing the covenant, in which they pretended there were many points of religion concerned, a bond was proposed for keeping the peace, and against rising in arms. This seemed the better test; since it secured the public quiet, and the peace of the country, which was at present the most necessary: the religious part was to be left to time, and good management. So an indemnity of a more comprehensive nature was proclaimed: and the bond was all the security that was demanded. Many came into the bond: though there were some among them that pretended scruples: for, it was said, peace was a word of a large extent: it might be pretended, that obeying all the laws was implied in it. Yet the far greater number submitted to this. Those who were disturbed with scruples were a few melancholy inconsiderable persons.

In order to the disbanding the army with more security it was proposed, that a county militia should be raised, and trained for securing the public peace. The two archbishops

did not like this: they said, the commons, of whom the militia must be composed, being generally ill affected to the church, this would be a prejudice rather than a security. But, to content them, it was concluded that in counties that were ill affected there should be no foot raised, and only some troops of horse. Burnet complained openly, that he saw episcopacy was to be pulled down, and that in such an extremity he could not look on, and be silent. He wrote upon these matters a long and sorrowful letter to Sheldon: and upon that Sheldon wrote a very long one to sir R. Murray; which I read, and found more temper and moderation in it, than I could have expected from him. Murray had got so far into his confidence, and he seemed to depend so entirely on his sincerity, that no informations against him could work upon Sheldon. Upon Burnet's carrying things so high, Sharp was better used and was brought again to the council board, where he began to talk of moderation: and in the debate concerning the disbanding the army, he said, it was better to expose the bishops to whatsoever might happen, than to have the kingdom governed for their sakes by a military power. Yet in private he studied to possess all people with prejudices against the persons then employed, as the enemies of the church. At that time lord Lauderdale got the king to write to the privy council, letting them know that he had been informed traitors had been pleaded for at that board. This was levelled at Burnet. The council in their answer, as they denied the imputation, so they desired to know, who it was that had so aspersed them. Burnet, when the letter was offered to him to be signed by him, said, he could not say traitors had never been pleaded for at that board, since he himself had once pleaded for one, and put them in mind of the particular case. After this he saw how much he had exposed himself, and grew tamer. The army was disbanded: so lord Rothes's authority as general, as well as his commission, was now at an end, after it had lasted three years. The pretence of his commission was the preparing matters for a national synod: yet in all that time there was not one step made towards one: for the bishops seemed concerned only for their authority, and their revenues, and took no care of regulating, either the worship, or the discipline. The earls of Rothes and Tweedale went to court. The former tried what he could do, by the duke of Monmouth's means, who had married his niece. But he was then young, and was engaged in a mad ramble after pleasure, and minded no business. So lord Rothes saw the necessity of applying himself to lord Lauderdale: and he did dissemble his discontent so dexterously, that he seemed well pleased to be freed from the load of business, that lay so heavy upon him. He moved to have his accounts of the treasury passed, to which great exceptions might have been made; and to have an approbation passed under the great seal of all he had done while he was the king's commissioner. Lord Tweedale was against both; and moved, that he should be for some time kept under the lash: he knew, that, how humble soever he was at that time, he would be no sooner secured from being called to an account for what was passed, than he would set up a cabal in opposition to every thing; whereas they were sure of his good behaviour, as long as he continued to be so obnoxious. The king loved lord Rothes: so the earl of Lauderdale consented to all he asked. But they quickly saw good cause to repent of their forwardness.

At this time a great change happened in the course of the earl of Lauderdale's life, which made the latter part of it very different from what the former had been. Mr. Murray, of the bed-chamber, had been page and whipping-boy to king Charles the First; and had great credit with him, not only in procuring private favours, but in all his counsels. He was well turned for a court, very insinuating, but very false; and of so revengeful a temper, that rather than any of the counsels given by his enemies should succeed, he would have revealed them, and betrayed both the king and them. It was generally believed, that he had discovered the most important of all his secrets to his enemies. He had one particular quality, that when he was drunk, which was very often, he was upon a most exact reserve, though he was pretty open at all other times. He got a warrant to be an earl, which was signed at Newcastle. Yet he got the king to antedate it, as if it had been signed at Oxford, to get the precedence of some whom he hated: but he did not pass it under the great seal during that king's life, but did it after his death; so his warrant, not being passed, died with the king. His eldest daughter, to whom his honour, such as it was, descended, married sir

Lionel Tollmash of Suffolk, a man of a noble family. After her father's death, she took the title of countess of Dysart. She was a woman of great beauty, but of far greater parts. She had a wonderful quickness of apprehension, and an amazing vivacity in conversation. She had studied not only divinity and history, but mathematics and philosophy. She was violent in every thing she set about, a violent friend, but a much more violent enemy. She had a restless ambition, lived at a vast expense, and was ravenously covetous; and would have stuck at nothing by which she might compass her ends. She had been early in a correspondence with lord Lauderdale, that had given occasion to censure. When he was prisoner after Worcester fight, she made him believe he was in great danger of his life, and that she saved it by her intrigues with Cromwell: which was not a little taken notice of. Cromwell was certainly fond of her, and she took care to entertain him in it; till he, finding what was said upon it, broke it off. Upon the king's restoration, she thought that lord Lauderdale made not those returns that she expected. They lived for some years at a distance. But upon her husband's death she made up all quarrels: so that lord Lauderdale and she lived so much together, that his lady was offended at it, and went to Paris, where she died about three years after. The lady Dysart came to have so much power over the lord Lauderdale, that it lessened him much in the esteem of all the world; for he delivered himself up to all her humours and passions. All applications were made to her: she took upon her to determine every thing: she sold all places, and was wanting in no methods that could bring her money, which she lavished out in a most profuse vanity. As the conceit took her, she made him fall out with all his friends, one after another: with the earls of Argyle, Tweedale, and Kincardine, with duke Hamilton, the marquis of Athol, and sir Robert Murray, who all had their turns in her displeasure, which very quickly drew lord Lauderdale's after it. If after such names it is not a presumption to name myself, I had my share likewise. From that time, to the end of his days, he became quite another sort of man than he had been, in all the former parts of his life. Sir Robert Murray had been designed by her father to be her husband, and was long her true friend. She knew his integrity was proof against all attempts. He had been hitherto the lord Lauderdale's chief friend, and main support. He had great esteem paid him, both by the king and by the whole court; and he employed it all for the earl of Lauderdale's service. He used great freedom with him at proper times; and was a faithful adviser, and reprover as far as the other could bear it. Lady Dysart laid hold on his absence in Scotland to make a breach between them. She made lord Lauderdale believe, that Murray assumed to himself the praise of all that was done, and was not ill pleased to pass as his governor. Lord Lauderdale's pride was soon fired with those ill impressions.

The government of Scotland had now another face. All payments were regularly made: there was an overplus of 10,000*l.* of the revenue saved every year. A magazine of arms was bought with it: and there were several projects set on foot for the encouragement of trade and manufactures. Lord Tweedale and sir Robert Murray were so entirely united, that, as they never disagreed, so all plied before them. Lord Tweedale was made a privy councillor in England: and, his son having married the earl of Lauderdale's only child, they seemed to be inseparably united. When he came down from London, he brought a letter from the king to the council, recommending the concerns of the church to their care: in particular, he charged them to suppress conventicles, which began to spread generally through the western counties: for upon the disbanding the army, the country, being delivered from that terror, did now forsake their churches, and got their old ministers to come among them; and they were not wanting in holding conventicles from place to place. The king wrote also by him a letter to Sharp with his own pen, in which he assured him of his zeal for the church, and of his favour to himself. Lord Tweedale hoped this would have gained him to his side: but he was deceived in it. Sharp quickly returned to his former insolence. Upon the earl of Tweedale's return, there was a great application to public business: no vice was in reputation: justice was impartially administered: and a commission was sent to the western counties to examine into all the complaints of unjust and illegal oppressions by Turner, Dalziel, and others. Turner's warrants had been seized with himself: and, though upon the defeat given the Whigs he was left by them, so that, beyond all men's expectations, he

escaped out of their hands, yet he had nothing to justify himself by. The truth is, this inquiry was chiefly levelled at lord Rothes and Burnet, to cast the odium of the late rebellion on their injustice and ill conduct. And it was intended that Turner should accuse them; but he had no vouchers to shew. These were believed to be withdrawn by an artifice of the lord Rothes. But, before the matter was quite ended, those in whose hands his papers were left, sent them sealed up to his lodgings. But he was by that time broken. So since the government had used him hardly, he, who was a man of spirit, would not show his vouchers nor expose his friends. So that matter was carried no farther. And the people of the country cried out against those censures. It was said, that when by such violent proceedings men had been inflamed to a rebellion, upon which so much blood was shed, all the reparation given was, that an officer or two were broken; and a great man was taken down a little upon it, without making any public examples for the deterring others.

Sir Robert Murray went through the west of Scotland. When he came back, he told me, the clergy were such a set of men, so ignorant, and so scandalous, that it was not possible to support them, unless the greatest part of them could be turned out, and better men found to be put in their places. But it was not easy to know how this could be done. Burnet had placed them all: and he thought himself in some sort bound to support them. The clergy were so linked together, that none of them could be got to concur in getting proofs of crimes brought against their brethren. And the people of the country pretended scruples. They said, to accuse a minister before a bishop was an acknowledging his jurisdiction over his clergy, or, to use a hard word much in use among them, it was *homologating* his power. So Murray proposed, that a court should be constituted by a special commission from the king, made up of some of the laity as well as the clergy, to try the truth of these scandalous reports that went upon the clergy: and he wrote about it to Sheldon, who approved of it. Sharp also seemed well pleased with it, though he abhorred it in his heart: for he thought it struck at the root of their authority, and was Erastianism in the highest degree. Burnet said, it was a turning him out of his bishopric, and the declaring him either incapable of judging his clergy, or unworthy of that trust. His clergy cried out upon it; and said, it was a delivering them up to the rage of their enemies, who hated them only for the sake of their functions, and for their obedience to the laws; and that, if irregular methods were taken to encourage them, they would get any thing, true or false, to be sworn against them. The difficulties that arose upon this put a stop to it. And the earl of Lauderdale's aversion to sir Robert Murray began a disjointing of all the councils of Scotland. Lord Tweedale had the chief confidence: and next him, lord Kincardine was most trusted. The presbyterians seeing a softening in the execution of the law, and observing that the archbishops were jealous of lord Tweedale, fancied he was theirs in his heart. Upon that they grew very insolent. The clergy were in many places ill used by them. They despaired of any farther protection from the government. They saw designs were forming to turn them all out: and, hearing that they might be better provided in Ireland, they were in many places brought out, and prevailed on to desert their cures. The people of the country hoped, that, upon their leaving them, they might have their old ministers again; and upon that were willing enough to enter into those bargains with them: and so in a very little time there were many vacancies made all over those counties. The lord Tweedale took great pains to engage Leighton into the same counsels with him. He had magnified him highly to the king, as much the greatest man of the Scotch clergy. And the lord Tweedale's chief aim with relation to church matters, was to set him at the head of them: for he often said to me, that more than two parts in three of the whole business of the government related to the church. So he studied to bring in a set of episcopal men of another stamp, and to set Leighton at their head. He studied to draw in Mr. Charteris. But he had such sad thoughts of mankind, and such humble ones of himself, that he thought little good could be done, and that as to that little he was not a proper instrument. Leighton was prevailed on to go to London, where, as he told me, he had two audiences of the king. He laid before him the madness of the former administration of church affairs, and the necessity of turning to more moderate counsels: in particular, he proposed a comprehension of the presbyterian party, by altering

the terms of the laws a little, and by such abatements as might preserve the whole for the future, by granting somewhat for the present. But he entered into no expedients; only he studied to fix the king in the design that the course of his affairs led him to, though contrary to his own inclinations, both in England and Scotland. In order to the opening this, I must change the scene.

The Dutch war had turned so fatally on the king, that it made it necessary for him to try how to recover the affections and esteem of his people. He found a slackening the execution of the law went a great way, in the city of London, and with the trading part of the nation. The house of commons continued still in their fierceness and aversion to all moderate propositions; but in the intervals of parliament the execution was softened. The earl of Clarendon found his credit was declining, that all the secrets of state were trusted to Bennet, and that he had no other share in them than his post required. The lady Castlemain set herself most violently against him; and the duke of Buckingham, as often as he was admitted to any familiarities with the king, studied with all his wit and humour to make lord Clarendon and all his counsels appear ridiculous. Lively jests were at all times apt to take with the king. The earl of Clarendon fell under two other misfortunes before the war broke out. The king had granted him a large piece of ground near St. James's to build a house on: he intended a good ordinary house; but, not understanding those matters himself, he put the managing of that into the hands of others, who ran him into a vast charge, of about 50,000*l.*, three times as much as he had designed to lay out upon it. During the war, and in the plague year, he had about three hundred men at work, which he thought would have been an acceptable thing, when so many men were kept at work, and so much money, as was duly paid, circulated about. But it had a contrary effect; it raised a great outcry against him. Some called it Dunkirk house, intimating that it was built by his share of the price of Dunkirk. Others called it Holland house, because he was believed to be no friend to the war: so it was given out, that he had the money from the Dutch. It was visible, that in a time of public calamity he was building a very noble palace. Another accident was, that before the war there were some designs on foot for the repairing of St. Paul's; and many stones were brought thither. That project was laid aside during the war. He upon that bought the stones, and made use of them in building his own house. This, how slight soever it may seem to be, yet had a great effect by the management of his enemies *.

Another misfortune was, that he lost his chief friend, to whom he trusted most, and who was his greatest support, the earl of Southampton. The pain of the stone grew upon him to such a degree, that he had resolved to be cut: but a woman came to him, who pretended she had an infallible secret of dissolving the stone, and brought such vouchers to him, that he put himself into her hands. The medicine had a great operation, though it ended fatally; for he passed great quantities of gravel, that looked like the coats of a stone sliced off. This encouraged him to go on, till his pains increased so, that no man was ever seen to die in such torments: which made him oft tremble all over, so that the bed shook with it: yet he bore it with an astonishing patience. He not only kept himself from saying any indecent thing, but endured all that misery with the firmness of a great man, and the submission of a good Christian. The cause of all appeared when he was opened after his death: for the medicine had stripped the stone of its outward slimy coats, which made it lie soft and easy upon the muscles of the bladder; whereas, when these were dissolved, the inner and harder parts of the stone, that were all ragged by the dissolution that was begun, lay upon the neck

* Clarendon, it seems, observed to sir Stephen Fox—"If my friends can but forgive me the folly of the great house, there is nothing they may not well defend me upon against my enemies."—Oxford ed. of this work. The earl of Dartmouth has left recorded, that he heard the earl of Carberry say, he did not know a single crime committed by Clarendon; but he well knew that if he brought charges against the chancellor, he had so many enemies that he should not fail for want of assistance to substantiate them.—Ibid. The same authority states, that the first assurance to the courtiers of the chancellor's being in disfavour with the king, was the latter permitting Henry Killigrew to mimic him. This wit and humorist imitated him very closely both as to voice and gesture, and the burlesque was rendered more ridiculous by his having others to carry the fire-shovel before him as a mace, whilst he bore the bellows instead of the official purse. The duchess of Cleveland took care to let the chancellor know the insult that was thus offered him, with the hope that he would indignantly retire from office.

of the bladder, which raised those violent pains of which he died *. The court was now delivered of a great man, whom they did not much love, and who they knew did not love them. The treasury was put in commission; and the earl of Clarendon had no interest there †. He saw the war, though managed by other counsels, yet was like to end in his ruin: for all errors were cast on him. The business of Chatham was a terrible blow; and though the loss was great, the infamy was greater. The parliament had given above five millions towards the war; but, through the luxury and waste of the court, this money was so squandered away, that the king could neither set out a fleet, nor defend his coasts. Upon the news of the Dutch fleet's being in the river, the king did not ride down himself, nor appear at the head of his people, who were then in such imminent danger. He only sent the duke of Albemarle down, and was intending to retire to Windsor. But that looked so like a flying from danger, that he was prevailed on to stay. And it was given out, that he was very cheerful that night at supper with his mistresses, which drew many libels upon him, that were written with as much wit as malice, and brought him under a general contempt. He was compared to Nero, who sang while Rome was burning. A day or two after that he rode through London, accompanied with the most popular men of his court, and assured the citizens he would live and die with his people, upon which there were some acclamations; but the matter went heavily. The city was yet in ashes; and the jealousy of burning it on design had got so among them, that the king himself was not free from suspicion. If the Dutch had pursued their advantage in the first consternation, they might have done more mischief, and have come a great way up the Thames, and burnt many merchant ships; but they thought they had done enough, and so they sailed away. The court was at a stand what to do, for the French had assured them the treaty was as good as finished. Whether the French set this on, as that which would both weaken the fleet of England, and alienate the king so entirely from the Dutch, that he would be easily engaged into new alliances to revenge this affront, as many believed, I cannot pretend to determine ‡.

* It is not within the compass of a note to detail the character given of Thomas Wrothesly, earl of Southampton, by him who knew him best, his intimate friend lord Clarendon. "He was a person," says this authority, "of extraordinary parts, of faculties very discerning, and judgment very profound, great eloquence, without the least affectation of words, for he always spoke best on the sudden. He was naturally melancholy, and reserved in his conversation, except towards those with whom he was well acquainted; with these he was not only cheerful, but occasionally light and pleasant. He was naturally lazy, and indulged over much ease to himself; yet no man could keep his mind longer bent, or take more pains. In the treaty of Uxbridge, which was a continued fatigue of twenty days, he never slept four hours in a night, who had never used to allow himself less than ten; and at the end of the treaty was more vigorous than in the beginning. He was a man of exemplary loyalty, courage, virtue, and piety."—See anecdotes of him in Continuation of Clarendon's Life. He died in May, 1667.

† This commission was in opposition to Clarendon's wishes. The conversation between him, the king, and the duke of York, is given in the "Continuation of Clarendon's Life." The commissioners were the duke of Albemarle, sir John Duncombe, lord Ashley, and sir Thomas Clifford.

‡ The descent made upon the Dutch coast, at Vly, or Flie, by our fleet, has been already mentioned; and M. De Witt often said, that for this injury and insult, before any peace was concluded, "the Dutch would leave some such mark of their having been upon the English coast, as the English had left of their visit upon that of Holland." To carry this threat into effect, whilst the treaty at Breda was proceeding, De Ruyter, having a fair wind, steered for the Thames. The inhabitants of the Kentish coast, upon the appearance of the Dutch fleet, fled into the interior. It happened that the earl of Winchelsea, then lord lieutenant of the county, was absent, as our ambassador in Turkey; and the deputy-lieutenants would not any of them venture to take the chief command. The king immediately sent down lieutenant-general Middleton, with a commission to draw together the train-bands, and to command all the forces raised. He assembled these forces at Rochester. "There had been enough discourse all that year of erecting a fort at Sheerness for the defence of the river. The king had made two journeys thither in the winter, and had given such orders to the commissioners of the ordnance respecting the fortifications, that every body believed the work was done. But whatever had been thought or directed, very little had been done. There were a company or two of very good soldiers there under excellent officers, but the fortifications were so weak and unfinished, and all other provisions so entirely wanting, that the Dutch cannon soon beat all the works flat, and drove all the men from the ground." This naturally raised the nation's indignation, and roused the enervated court; the duke of Albemarle marched to Chatham with the guards and other hastily-collected troops. When he arrived there he found general Middleton occupying a strong position, and with a chain passed across the river; but these were ill-judged precautions. The Dutch were too wise to land, and as soon as the tide served, the ships broke through the chain without difficulty. The great oversight and folly was, that no cannon were sent down to the place endangered, for the troops without these could only march parallel to the advancing ships, who were without the range of musketry. "There were two or three ships of the royal navy, negligently, if not treacherously, left in the river, which might have been very easily drawn into safety, and could be of no imaginable use where they then were." The duke of Albemarle put himself and a band of brave

The earl of Essex was at that time in Paris, on his way home from the waters of Bourbon; and he told me, the queen-mother of England sent for him, as being one of her son's privy council, and told him, the Irish had sent over some to the court of France, desiring money and arms with some officers, and undertook to put that island into the hands of the French. He told me, he found the queen was in her inclinations and advices true to her son's interest: but he was amazed to see, that a woman, who in a drawing-room was the liveliest woman of the age, and had a vivacity of imagination that surprised all who came near her, yet after all her practice in affairs had so little either of judgment, or conduct; and he did not wonder at the miscarriage of the late king's counsels, since she had such a share in them. But the French had then greater things in view. The king of Spain was dead. And now after the French had managed the war so, that they had been at no part of the expense of it, nor brought a ship to the assistance of the Dutch in any engagement, and that both England and Holland had made a great loss both in ships and treasure, they resolved to manage the peace so, as to oblige the king by giving him a peace, when he was in no condition to carry on a war. I enter not into our negotiation with the bishop of Munster, nor his treacherous departing from his engagements, since I know nothing of that matter, but what is in print.

As soon as the peace was made, the king saw with what disadvantage he was likely to meet his parliament. So he thought, the disgracing a public minister, who by his being long in so high a post had drawn upon himself much envy, and many enemies, would cover himself and the rest of his court. Other things concurred to set this forward. The king was grown very weary of the queen; and, it was believed, he had a great mind to be rid of her. The load of that marriage was cast on the lord Clarendon, as made on design to raise his own grandchildren. Many members of the house of commons, such as Clifford, Osborn, Ker, Littleton, and Seymour, were brought to the king; who all assured him, that upon his restoration, they intended both to have raised his authority, and to have increased his revenue; but that the earl of Clarendon had discouraged it, and that all his creatures had possessed the house with such jealousies of the king, that they thought it was not fit to trust him too much, nor too far. This made a deep impression on the king, who was weary of lord Clarendon's imposing way, and had a mind to be freed from the authority, to which he had been so long accustomed, that it was not easy to keep him within bounds.

Yet the king was so afraid to engage himself too deep in his own affairs, that it was a doubt whether he would dismiss him or not, if a concern of one of his amours had not sharpened his resentment; so that what other considerations could not do, was brought about by an ill-grounded jealousy. Mistress Stewart had gained so much on the king, and yet had kept her ground with so much firmness, that the king seemed to design if possible to legitimate his addresses to her *, when he saw no hope of succeeding any other way. The duke of Richmond, being a widower, courted her. The king seemed to give way to it, and

young gentlemen into one, but was persuaded to leave it, as it would be a useless sacrifice of their lives if they attempted to defend it. These vessels and some laden merchantmen were burnt by the Dutch; and, without doubt, if they had prosecuted the present advantage they had with the necessary circumspection and courage, they might have fired the royal navy at Chatham, and taken or destroyed all the ships that lay higher in the river; but they thought they had done enough, and so returned with the ebb." "The distraction and consternation of the court and city was as great as if the Dutch had been not only masters of the river, but had really landed an army of one hundred thousand men. They who remember that conjuncture, and were present in the galleries and privy lodgings at Whitehall, whither all the world flocked with equal liberty, can easily call to mind many instances of such wild despair, and ridiculous apprehensions, that I am willing to forget, and would not that the least mention of them should remain. If the king's and duke's personal composure had not restrained men from expressing their fears, there wanted not some who would have advised them to leave the city." The Dutch made a demonstration as if they intended to make a similar descent upon the coasts of Essex and Suffolk, whither the duke of York went to take the command; but this proceeded no further than the insult.—Clarendon's Continuation of his Life, ii. 420. According to the duke of Albemarle's statement, laid before the house of commons, the chief blame of the Dutch doing even the small damage they did, was to be attributed to commissioner Pett.—Chandler's Debates in House of Commons, i. 114. At the same time the house shewed by its vote that they felt the chief blame was with the government, for, notwithstanding the liberal supplies to maintain the navy, "there was not a sufficient number of ships left to secure the rivers Medway and Thames." The most authentic narrative of the proceedings in parliament upon this and other "miscarriages," is in "Grey's Debates," i. 23, &c. Pett was impeached, but the proceedings fell to the ground. Ibid. 39.

* That was by divorcing his queen, and marrying this lady.

pretended to take such care of her, that he would have good settlements made for her. He hoped by that means to have broken the matter decently; for he knew the duke of Richmond's affairs were in disorder. So the king ordered lord Clarendon to examine the estate he pretended to settle. But he was told, whether true or false I cannot tell, that lord Clarendon told her, that the duke of Richmond's affairs, it was true, were not very clear; but that a family so nearly related to the king could never be left in distress, and that such a match would not come in her way every day; so she had best consider well, before she rejected it. This was carried to the king, as a design he had that the crown might descend to his own grandchildren; and that he was afraid, lest strange methods should be taken to get rid of the queen, and to make way for her. When the king saw that she had a mind to marry the duke of Richmond, he offered to make her a duchess, and to settle an estate on her. Upon this she said, she saw she must either marry him, or suffer much in the opinion of the world. And she was prevailed on by the duke of Richmond, who was passionately in love with her, to go privately from Whitehall, and marry him without giving the king notice. The earl of Clarendon's son, the lord Cornbury, was going to her lodgings, upon some assignation that she had given him about her affairs, knowing nothing of her intentions. He met the king in the door coming out full of fury; and he, suspecting that lord Cornbury was in the design, spoke to him as one in a rage that forgot all decency, and for some time would not hear lord Cornbury speak in his own defence. In the afternoon he heard him with more temper, as he himself told me. Yet this made so deep an impression, that he resolved to take the seals from his father. The king said to the lord Lauderdale, that he had talked of the matter with Sheldon, and that he convinced him, that it was necessary to remove lord Clarendon from his post*; and, as soon as it was done, the king sent for Sheldon, and told him what he had done. But he answered nothing. When the king insisted, to oblige him to declare himself, he said, "Sir, I wish you would put away this woman that you keep." The king upon that replied sharply, why had he never talked to him of that sooner, but took this occasion now to speak of it. Lauderdale told me, he had all this from the king; and that the king and Sheldon had gone into such expostulations upon it, that from that day forward Sheldon could never recover the king's confidence.

The seals were given to sir Orlando Bridgman, lord chief justice of the common pleas,

* Clarendon was displaced through the influence of his inveterate enemy, the duchess of Cleveland, aided by the intrigues of sir William Coventry, Mr. Brounker, Mr. May, and others, who favoured the Roman Catholic party. Charles sent the duke of York to persuade Clarendon to resign the seals, for he was very willing to sneak away from the commission of the resolved injustice of disgracing so able, so faithful, and so old a servant. But the chancellor requested an audience, and then personally told Charles, with the dignity natural to integrity, that he had no suit to prefer, or arguments to divert the resolution that had been taken, but humbly to request that he might be informed what fault he had committed that had drawn upon him his majesty's severity. The king acknowledged he had nothing to object to him, for he had been faithful and honest, and he believed that never king had a better servant, but that he intended to remove him from office to assuage the anger of the parliament, and secure him from its attacks. Moreover that, he believed that he himself wished to resign. To this Clarendon replied, that he would never have it understood, that he had willingly delivered up the seals at a time when his majesty stood in need of honest advisers; and that he would never acknowledge the removal to be for his benefit, because it was a declaration, on the part of his majesty, that he was blameworthy. As to the anger of the parliament, he did not fear that, for he had never acted in any transaction in a way that he feared to be judged strictly by the law; and if the parliament should act injudiciously, the king had a controlling power. In conclusion, said the chancellor, "I doubt very much that the throwing off an old servant, who has served the crown in some trust near thirty years, without any suggestion of a crime, nay, with a declaration of innocence, will call your majesty's justice and goodnature in question; and men will not know how securely to serve you, when they see it is in the power of three or four persons who had never done you any notable service, nor were in the opinion of those who knew them likely to do so, to dispose your majesty to so ungracious an act." In the warmth of his remonstrance, Clarendon says, he had an opportunity to mention the duchess of Cleveland, "with some reflections and cautions, which he might more advisedly have declined." The king was immovable in his resolution, and the conference, after lasting two hours, terminated. "The garden, that used to be private, had now many in it to observe the countenance of the king, when he came from the room; and when the chancellor retired, the duchess of Cleveland, lord Arlington, and Mr. May, looked together out of her open window with great gaiety and triumph."—Clarendon's Continuation of his Life, 438, &c. The insult was so marked, and before so many, that Clarendon could not restrain himself from addressing to her the rebuke—"Madam, if you live, *you* will grow old:" a reflection which would bear with it a warning, and a bitter anticipation. On the 30th of August, 1667, Mr. Secretary Maurice reluctantly brought to Clarendon a message requiring him to resign the seal. No sooner was it delivered to the king in his closet, than Mr. May came and kissed his majesty's hand, telling him "he was now king, which he had never been before."

then in great esteem, which he did not maintain long after his advancement. His study and practice lay so entirely in the common law, that he never seemed to apprehend what equity was; nor had he a head made for business, or for such a court. He was a man of great integrity, and had very serious impressions of religion on his mind. He had been always on the side of the church; yet he had great tenderness for the nonconformists: and the bishops having all declared for lord Clarendon, except one or two, he, and the new scene of the ministry, were inclined to favour them *. The duke of Buckingham, who had been in high disgrace before lord Clarendon's fall, came upon that into high favour, and set up for a patron of liberty of conscience, and of all the sects. The see of Chester happened to fall vacant soon after; and Doctor Wilkins was by his means promoted to that see. It was no small prejudice to him, that he was recommended by so bad a man. Wilkins had a courage in him that could stand against a current, and against all the reproaches with which ill-natured clergymen studied to load him. He said, he was called for by the king, without any motion of his own, to a public station, in which he would endeavour to do all the good he could, without considering the ill effects that it might have on himself. The king had such a command of himself, that when his interest led him to serve any end, or to court any sort of men, he did it so dexterously, and with such an air of sincerity, that till men were well practised in him, he was apt to impose on them. He seemed now to go into moderation and comprehension with so much heartiness, that both Bridgman and Wilkins believed he was in earnest in it: though there was nothing that the popish counsels were more fixed in, than to oppose all motions of that kind. But the king saw it was necessary to recover the affections of his people. And, since the church of England was now gone off from him, upon lord Clarendon's disgrace, he resolved to shew some favour to the sects, both to soften them, and to force the others to come back to their dependence upon him.

He began also to express his concerns in the affairs of Europe; and he brought about the peace between Spain and Portugal. The French king pretended, that by the law of Brabant, his queen, as the heir of the late king of Spain's first marriage, though a daughter, was to be preferred to the young king of Spain, the heir of the second venter, without any regard to the renunciation of any succession to his queen, stipulated by the peace of the Pyrenees; and was upon that pretension like to overrun the Netherlands. Temple was sent over to enter into an alliance with the Dutch, by which some parts of Flanders were yielded up to France, but a barrier was preserved for the security of Holland †. Into this the king of Sweden, then a child, was engaged; so it was called the Triple Alliance. I will say no more of that, since so particular an account is given of it by him who could do it best, Temple himself. It was certainly the masterpiece of king Charles's life; and, if he had stuck to it, it would have been both the strength and the glory of his reign. This disposed his people to forgive all that was passed, and to renew their confidence in him, which was much shaken by the whole conduct of the Dutch war.

The parliament were upon their first opening set on to destroy lord Clarendon. Some of his friends went to him a few days before the parliament met, and told him, many were at work to find out matter of accusation against him. He best knew, what could be brought against him with any truth; for falsehood was infinite, and could not be guessed at. They desired he would trust some of them with what might break out, since probably nothing could lie concealed against so strict a search. And the method in which his friends must manage for him, if there was any mixture or alloy in him, was to be very different from that they could use, if he was sure that nothing could be brought out against him. The lord Burlington and bishop Morley both told me, they talked to this purpose to him. Lord

* Sir Orlando Bridgman was a son of Dr. Bridgman, bishop of Chester. Whilst only a pleader his practice was very extensive. Mr. Johnson, his clerk, the editor of his "Conveyances," says, in the preface, he was "the great oracle, not only of his fellow-sufferers, but of the whole nation, in matters of law; his very enemies not thinking their estates secure without his advice." At the Restoration, Bridgman was made lord chief baron of the exchequer, and presided at the trial of the regicides. In a short time he was advanced to the chief justiceship of the common pleas. His disgrace will be mentioned in a future page. After that he lived in retirement. He was dead in 1682, when his "Conveyances" were published.

† Sir William Temple wrote "Memoirs" of this embassy, but afterwards destroyed them. His "Memoirs" of his subsequent embassies are preserved.—Swift's Preface to the Third Part of the "Memoirs." This loss is in some measure supplied by sir William's Letters. To these Burnet seems to allude.

Clarendon upon that told them, that, if either in matters of justice, or in any negotiations abroad, he had ever received a farthing, he gave them leave to disown all friendship to him. The French king hearing he had sent for all the books of the Louvre impression, had sent these to him, which he took, as thinking it a trifle, as indeed it was: and this was the only present he ever had from any foreign prince. He had never taken any thing by virtue of his office, but that which his predecessors had claimed as a right. But now a hue and cry was sent out against him; and all persons who had heard him say any thing that could bear an ill construction, were examined. Some thought they had matters of great weight against him; and, when they were told these would not amount to high treason, they desired to know what would amount to it.

When twenty-three articles were brought into the house against him, the next day he desired his second son, the now earl of Rochester, to acquaint the house, that he, hearing what articles were brought against him, did, in order to the dispatch of the business, desire that those, who knew best what their evidence was, would single out any one of the articles that they thought could be best proved; and, if they could prove that, he would submit to the censure due upon them all. But those who had the secret of this in their hands, and knew they could make nothing of it, resolved to put the matter upon a preliminary, in which they hoped to find cause to hang up the whole affair, and fix upon the lords the denial of justice. So, according to some few and late precedents, they sent up a general impeachment to the lords' bar of high treason, without any special matter; and demanded, that upon that he might be committed to prison. They had reason to believe the lords would not grant this; and therefore they resolved to insist on it; and reckoned, that when so much money was to be given, the king would prevail with the lords. Upon this occasion it appeared, that the private animosities of a court could carry them to establish the most destructive precedent that could have been thought on. For if this had passed, then every minister upon a general impeachment was to be ruined, though no special matter was laid against him. Yet the king himself pressed this vehemently. It was said, the very suspicion of a house of commons, especially such a one as this was, was enough to blast a man, and to have him secured; for there was reason to think, that every person so charged would run away, if at liberty. Lord Clarendon's enemies had now gone far. They thought they were not safe till his head was off; and they apprehended, that, if he were once in prison, it would be easy either to find, or at least to bring witnesses against him. This matter is all in print; so I will go no farther in the particulars. The duke was at this time taken with the small-pox; so he was out of the whole debate. The peers thought that a general accusation was only a clamour, and that their dignities signified little if a clamour was enough to send them to prison. All the earl of Clarendon's friends pressed the king much on his behalf, that he might be suffered to go off gently, and without censure, since he had served both his father and himself so long, so faithfully, and with such success. But the king was now so sharpened against him, that, though he named no particulars, he expressed a violent and irreconcilable aversion to him; which did the king much hurt, in the opinion of all that were not engaged in the party. The affair of the king's marriage was the most talked of, as that which indeed was the only thing that could in any sort justify such a severity. Lord Clarendon did protest, as some that had it from himself told me, that he had no other hand in that matter, than as a councillor: and in that he appealed to the king himself. After many debates and conferences, and protestations, in which the whole court went in visibly to that, which was plainly destructive both to the king and to the ministry, the majority of the house stood firm, and adhered to their first resolution against commitment. The commons were upon that like to carry the matter far against the peers, as denying justice. The king seeing this, spoke to the duke, to persuade lord Clarendon to go beyond sea, as the only expedient that was left, to make up the breach between the two houses: and he let fall some words of kindness, in case he should comply with this. The earl of Clarendon was all obedience and submission; and was charmed with those tender words, that the king had said of him. So, partly to serve the king, and save himself and his family, but chiefly that he might not be the occasion of any difference between the king and the duke, who had heartily espoused his interest, he went privately beyond sea, and wrote a letter from Calais to the house of lords,

protesting his innocence in all the points objected to him, and that he had not gone out of the kingdom for fear, or out of any consciousness of guilt, but only that he might not be the unhappy occasion of any difference between the two houses, or of obstructing public business. This put an end to the dispute. But his enemies called it a confession of guilt, and a flying from justice: such colours will people give to the most innocent actions *.

A bill was brought in, banishing him the king's dominions under pain of treason if he should return: and it was made treason to correspond with him, without leave from the king. This act did not pass without much opposition. It was said, there was a known course of law when any man fled from justice; and it seemed against the common course of justice, to make all corresponding with him treason, when he himself was not attainted of treason; nor could it be just to banish him, unless a day were given him to come in; and then, if he did not come in, he might incur the punishment upon contempt. The duke, whom the king had employed to prevail with him to withdraw himself, thought he was bound in honour to press the matter home on the king; which he did so warmly, that for some time a coldness between them was very visible. The part the king had acted in this matter came to be known; and was much censured, as there was just cause for it. The vehemence that he shewed in this whole matter was imputed by many to very different causes. Those who knew him best, but esteemed him least, said to me on this occasion, that all the indignation that appeared in him on this head, was founded on no reason at all; but was an effect of that easiness, or rather laziness of nature, that made him comply with every person that had the greatest credit with him. The mistress †, and the whole bedchamber, were perpetually railing at him. This, by a sort of infection, possessed the king, who, without giving himself the trouble of much thinking, did commonly go into any thing that was at the present time the easiest, without considering what might at any other time follow on it. Thus the lord Clarendon fell under the common fate of great ministers, whose employment exposes them to envy, and draws upon them the indignation of all who are disappointed in their pretensions. Their friends do generally shew, that they are only the friends of their fortunes; and upon the change of favour they not only forsake them in their extremity, but that they may secure to themselves the protection of a new favourite, they will labour to redeem all that is passed, by turning as violently against them, as they formerly fawned abjectly upon them: and princes are so little sensible of merit or great services, that they sacrifice their best servants, not only when their affairs seem to require it, but to gratify the humour of a mistress, or the passion of a rising favourite.

I will end this relation of lord Clarendon's fall with an account of his two sons. The eldest, now the earl of Clarendon, is a man naturally sincere: he is a friendly and good-natured man. He keeps an exact journal of all that passes, and is punctual to tediousness in all that he relates ‡. He was very early engaged in great secrets; for his father, apprehending of what fatal consequence it would have been to the king's affairs, if his correspondence

* It is beyond contradiction that the retirement of Clarendon into exile was not the suggestion of his own fears, and was in direct opposition to his own wishes. The motive that induced his voluntary withdrawal was a desire to acquiesce in the repeatedly and urgently expressed desire of the king; and to terminate the collision that had taken place between the two houses of parliament. M. Ravigny, the French ambassador, the bishop of Hereford, and the duke of York, successively urged upon him the king's wish; and though his majesty would not grant him a pass, yet he pledged his word that his passage should be uninterrupted. The dispute between the houses of lords and commons arose from the first refusing to order Clarendon into custody until some specific charges were exhibited against him. The peers persisted in this refusal, which so angered the king, that he entertained a proposition for sending a file of soldiers to his house, and conveying him thence to the Tower. The lieutenant of this prison was even advised of the earl's probable arrival, and "that he should not treat him with more civility than he did other prisoners." The last message to Clarendon recommending him to withdraw coming to him from the king, and stating "that it was absolutely necessary for him speedily to be gone," he resolved to set off that night. This was Saturday, the 29th of November, 1667, and he proceeded in a coach with two servants, accompanied by his two sons and some friends on horseback, to Erith. Here he embarked, but from contrary winds did not land at Calais until after a lapse of three days. From this place he wrote a defence to the house of lords, which so chagrined his enemies, that it was ordered to be burnt by the hangman!—Continuation of Clarendon's Life, 450—459, fol. His son, Lawrence Hyde, earl of Rochester, has left an excellent and most interesting paper, relative to his father's banishment, and subsequent conduct, too long to be inserted in this note. See it in the Clarendon Papers, edited by Mr. Singer, i. 645, &c.

† The duchess of Cleveland.

‡ This with his Letters, &c. entitled "Correspondence of the Earls of Clarendon and Rochester," has been published, edited by Mr. Singer.

had been discovered by unfaithful secretaries, engaged him when very young to write all his letters to England in cypher, so that he was generally half the day writing in cypher, or decyphering, and was so discreet, as well as faithful, that nothing was ever discovered by him. He continued to be still the person whom his father trusted most, and was the most beloved of all the family; for he was humble and obliging, though sometimes peevish. His judgment was not to be much depended on; for he was much carried away by vulgar prejudices, and false notions. He was much in the queen's favour, and was her chamberlain long. His father's being so violently prosecuted on the account of her marriage, made that she thought herself bound to protect him in a particular manner. He was so provoked at the ill usage his father met with, that he struck in violently with the party that opposed the court; and the king spoke always of him with great sharpness, and much scorn *. His brother, now earl of Rochester, is a man of far greater parts. He has a very good pen, but speaks not gracefully. He was thought the smoothest man in the court; and during all the dispute concerning his father, he made his court so dexterously, that no resentments ever appeared on that head. When he came into business, and rose to high posts, he grew violent; but was thought an incorrupt man. He has high notions of government, and thinks it must be maintained with great severity. He delivers up his own notions to his party, that he may lead them. He passes for a sincere man, and seems to have too much heat to be false †. Morley was long dean of the chapel; but he stuck so to the lord Clarendon, that he was sent into his diocese; and Crofts, bishop of Hereford, was made dean in his room. Crofts was a warm devout man, but of no discretion in his conduct; so he lost ground quickly. He used much freedom with the king, but it was in the wrong place, not in private, but in the pulpit ‡.

* Henry Hyde, lord Cornbury, and on the death of the chancellor, earl of Clarendon, was the eldest son of that great statesman. He was born in 1638. After the Restoration he was created a knight of the bath, master of arts at Oxford, and appointed chamberlain to the queen. Though disgraced by James, the university of Oxford made him its high steward. His subsequent promotions and misfortunes will be mentioned in other pages. He died in 1709.—Memoirs of Illustrious Persons who died in 1711, 116-123; Collins's Peerage; Walpole's Royal and Noble Authors; Wood's Fasti. Burnet's estimate of his mental abilities is too low. His letters, his "History of the Irish Rebellion," and his "Account of the Tombs in Winchester Cathedral," shew him to have had a correct judgment, and a cultivated mind. A man who could suffer neglect and oppression as he did without flinching from the sentiments and conduct that attracted the punishment, could not have been an unworthy, or inferior character.

† Lawrence Hyde, earl of Rochester, was the second son of the earl of Clarendon. In 1661, he made his debut in public as one of the representatives of Oxford university. Soon after he proceeded, with lord Crofts and sir Charles Berkeley, to the court of France for the purpose of congratulating the French king upon the birth of the dauphin. When he returned he entered upon the duties of master of the robes to the king, having previously held an official appointment about the duke of York. When the house of commons impeached his father, Mr. Hyde defended him with a firmness, filial feeling, and dignity, that must have raised him in the estimation of every worthy mind. In 1676, he was sent as ambassador-extraordinary to the king of Poland. His "Diary," during the embassages, has lately been edited by Mr. Singer, among others, of the Clarendon Papers. His subsequent employments will be mentioned in future pages. He died in May, 1711. With his brother, lord Clarendon, he edited his father's "History of the Rebellion." The dedication in the second volume to the queen, was written by the earl of Rochester, and has always been acknowledged as a masterly production.—Memoirs of Persons who died in 1711, 124-168.—Wood's Fasti Oxon. 131. Burnet's character of Rochester seems to be coincident with that of other contemporaries. Mackay and lord Dartmouth agree in acknowledging his abilities, as well as the facility with which his anger could be excited. "I never knew," says the latter, "a man that was so soon put in a passion, that was so long before he could bring himself out of it, in which he would say things that were never forgot by any body but himself. He therefore had always more enemies than he thought, though he had as many professedly so, as any man of his time."—Oxford ed. of this work.

‡ Dr. Herbert Croft was certainly one of the most upright, conscientious men of his time. He was induced by the example of his father, and the persuasions of the Douay priests, to conform to the papal church, but upon his return to England and conferring with Dr. Morton, bishop of Durham, he was convinced of the greater conformity with the scriptures of the creed of the English church, and returned among her members. This was not suggested by interest, for in the preamble of his will, he makes this dying profession:—"I do in all humble manner most heartily thank God, that he hath been most graciously pleased, by the light of his most holy gospel, to recall me from the darkness of popish errors and gross superstitions, into which I was seduced in my younger days, and to settle me in the true ancient catholic and apostolic faith professed by our church of England," &c. His disinterestedness is further shewn by his steady refusal of all better preferment than the bishopric of Hereford, then not worth more than 800*l.* per annum. Conscientious scruples induced him to wish even to resign this. His government of his diocese was admirable. His loyalty was proved by his suffering with unsuccumbing fortitude during the interregnum: his moderation and Christian charity by his writings, in which he strenuously endeavoured to reunite the dissenters with our church, by shewing the impropriety of differing about non-essentials, and at the same time deprecating all persecution. Thus favouring toleration, he yet opposed most strenuously the declaration issued by James the Second, which, he

The king was highly offended at the behaviour of most of the bishops; and he took occasion to vent it at the council-board. Upon the complaints that were made of some disorders, and of some conventicles, he said, the clergy were chiefly to blame for these disorders; for if they had lived well, and had gone about their parishes, and taken pains to convince the nonconformists, the nation might have been by that time well settled; but they thought of nothing but to get good benefices, and to keep a good table. This I read in a letter that sir Robert Murray wrote down to Scotland: and it agrees with a conversation, that the king was pleased to have with myself once, when I was alone with him in his closet. While we were talking of the ill state the church was in, I was struck to hear a prince of his course of life so much disgusted at the ambition, covetousness, and the scandals of the clergy. He said, if the clergy had done their part, it had been an easy thing to run down the nonconformists: but, he added, they will do nothing, and will have me do every thing: and most of them do worse than if they did nothing. He told me, he had a chaplain, that was a very honest man, but a very great blockhead, to whom he had given a living in Suffolk, that was full of that sort of people: he had gone about among them from house to house, though he could not imagine what he could say to them; for, he said, he was a very silly fellow; but that, he believed, his nonsense suited their nonsense, for he had brought them all to church: and, in reward of his diligence, he had given him a bishopric in Ireland.

Bridgman and Wilkins set on foot a treaty, for a comprehension of such of the dissenters as could be brought into the communion of the church, and a toleration of the rest. Hale, then chief justice, concurred with them in the design. Tillotson, Stillingfleet, and Burton joined also in it. Bates, Manton, and Baxter were called for on the side of the presbyterians *. And a project was prepared, consisting chiefly of those things that the king had promised by his declaration in the year 1660. Only in the point of re-ordination this temper was proposed, that those who had presbyterian ordination should be received to serve in the church by an imposition of hands, accompanied with words which imported, that the person so ordained was received to serve as a minister in the church of England. This treaty became a common subject of discourse. All lord Clarendon's friends cried out, that the church was undermined and betrayed: it was said, the cause of the church was given up, if we yielded any of those points, about which there had been so much disputing: if the sectaries were humble and modest, and would tell what would satisfy them, there might be some colour for granting some concessions; but it was unworthy of the church to go and court, or treat with enemies, when there was no reason to think, that after we had departed from our grounds, which was to confess we had been in the wrong, that we should gain much by it, unless it was to bring scorn and contempt on ourselves. On the other hand, it was said, the nonconformists could not legally meet together, to offer any schemes in the name of their party: it was well enough known, what they had always excepted to, and

observed, covertly aimed at the promotion of the papal religion. He resigned his royal chaplaincy, and retired from court disgusted with its irreclaimable immorality. He died in his diocese in the year 1691.—Wood's Athenæ Oxon.; Biographia Brit. by Kippis. It is curious that Dr. Burnet should have written an antagonist pamphlet to one by Dr. Croft, in which the latter advocated toleration and comprehension of the presbyterians by our church. Not having seen the pamphlets, I cannot decide upon what points they differ. We see, in the text, Burnet thought the other wanted "discretion."

* William Bates was one of the most eminent and most excellent of the nonconformist divines. At the time of the Restoration, when Charles the Second hypocritically courted the assistance of all sects, he was made one of the royal chaplains. It is said by Calamy, that if Bates would have conformed to the established church, he might have been raised to any bishopric of the kingdom. If he had, it would not have exceeded his merits. Archbishop Tillotson, lord keeper Bridgman, lord chancellor Finch, and many other distinguished persons, were among his personal friends. William the Third esteemed him much, and queen Mary was in the constant habit of reading his works. Lord keeper Bridgman having declared from the bench that in the oath prescribed by "the Five-Mile Act," the words "endeavour to change the government in church," meant only "unlawful endeavour," Dr. Bates and about twenty other presbyterian divines took the oath, though Mr. Baxter was not satisfied by his reasons for doing so. He died in 1699, aged seventy-four.—Calamy's Account of Ejected Ministers; Howe's Funeral Sermon for Dr. Bates; Biog. Britannica.

Thomas Manton, another leading divine among the presbyterians, like the preceding clergyman, was at the Restoration made one of the king's chaplains, and doctor of divinity by royal mandamus, though he had previously held the same office in the household of Oliver Cromwell. He was rector of St. Paul's, Covent Garden, and might, if he would have conformed, have had the deanery of Rochester. By the Bartholomew Act he lost his preferment, and suffered imprisonment for preaching elsewhere. He died in 1677, aged fifty-seven. Dr. Bates preached his funeral sermon. See this, and his "Life," by Dr. Harris; also Wood's Athenæ Oxon. 600, fol.

what would probably bring over most of the presbyterians; such a yielding in some lesser matters would be no reproach, but an honour to the church; that, how much soever she might be superior, both in point of argument and of power, she would yet of her own accord, and for peace sake, yield a great deal in matters indifferent: the apostles complying with many of the observances of the Jews, and the offers that the church of Africa made to the Donatists were much insisted on: the fears of popery, and the progress that atheism was making, did alarm good and wise men: and they thought, every thing that could be done without sin, ought to be done towards the healing our divisions. Many books were upon that account written, to expose the presbyterians, as men of false notions in religion, which led to antinomianism, and which would soon carry them into a dissolution of morals, under a pretence of being justified by faith only, without works. The three volumes of the Friendly Debate, though written by a very good man, and with a good intent, had an ill effect in sharpening people's spirits too much against them. But the most virulent of all that wrote against the sects was Parker, afterwards made bishop of Oxford by king James; who was full of satirical vivacity, and was considerably learned; but was a man of no judgment, and of as little virtue, and as to religion, rather impious. After he had for some years entertained the nation with several virulent books, written with much life, he was attacked by the liveliest droll of the age, who wrote in a burlesque strain, but with so peculiar and so entertaining a conduct, that, from the king down to the tradesman, his books were read with great pleasure. That not only humbled Parker, but the whole party: for the author of the "Rehearsal Transprosed" had all the men of wit (or, as the French phrase it, all the laughers) on his side *. But what advantages soever the men of comprehension might have in any other respect, the majority of the house of commons was so possessed against them, that when it was known in a succeeding session, that a bill was ready to be offered to the house for that end, a very extraordinary vote passed, that no bill to that purpose should be received.

An act passed in this session for rebuilding the city of London, which gave lord chief justice Hale a great reputation: for it was drawn with so true a judgment, and so great foresight, that the whole city was raised out of its ashes, without any suits of law; which, if that bill had not prevented them, would have brought a second charge on the city, not much less than the fire itself had been. And upon that, to the amazement of all Europe, London was in four years' time rebuilt, with so much beauty and magnificence, that we who saw it in both states, before and after the fire, cannot reflect on it without wondering where the wealth could be found, to bear so vast a loss as was made by the fire, and so prodigious an expense as was laid out in the rebuilding it. This did demonstrate that the intrinsic wealth of the nation was very high, when it could answer such a dead charge.

I return to the intrigues of the court. Lord Clarendon's enemies thought they were not safe, as long as the duke had so much credit with the king, and the duchess had so much power over him: so they fell on propositions of a strange nature to ruin them. The duke of Buckingham pressed the king to own a marriage with the duke of Monmouth's mother; and he undertook to get witnesses to attest it. The duke of York told me, in general, that there was much talk about it, but he did not descend to particulars. The earl of Carlisle offered to begin the matter in the house of lords. The king would not consent to this: yet he put it by in such a manner, as made them all conclude, he wished it might be done, but did not know how to bring it about. These discourses were all carried to the duke of Monmouth, and got fatally into his head. When the duke talked of this matter to me in the year seventy-three, I asked him if he thought that the king had still the same inclinations? He said he believed not: he thought the duke of Monmouth had not spirit enough

* Dr. Samuel Parker was a despicable man. His talents only afford a proof, and therefore cause for regret, that genius and integrity are not inseparable. It was his "Discourse of Ecclesiastical Polity" that called forth Andrew Marvell's satire mentioned in the text. His acceptance of the presidency of Magdalen College from king James the Second, and still more his Defence of the doctrine of transubstantiation and saint-worship, shewed that he would not let probity or conscience be in the way of worldly preferment. He was a presbyterian at first, then a member of the established church, and, finally, popishly inclined. He was only forty-seven when he died, in 1687.—Wood's Athenæ Oxon.; Nichol's Life of Bowyer. Dr. Parker's "History of his own Times," edited by his son, contains some interesting particulars of this period.

to think of it: and he commended the duchess of Monmouth so highly as to say to me, that the hopes of a crown could not work on her to do an unjust thing. I thought he gave that matter too much countenance by calling the duke of Monmouth nephew: but he said it pleased the king. When the party saw they could make nothing of the business of the duke of Monmouth, they tried next by what methods they could get rid of the queen; that so the king might marry another wife: for the king had children by so many different creatures, that they hoped for issue, if he had a wife capable of any. Some thought, the queen and he were not legally married: but the avowing a marriage, and the living many years in that state, did certainly supply any defect in point of form. Others pretended, she was barren from a natural cause, and that seemed equivalent to impotence in men. But the king often said, he was sure she had once miscarried. This, though not overthrown by such an evidence, could never be proved; unless the having no children was to be concluded a barrenness: and the dissolving a marriage on such an account could neither be justified in law or conscience. Other stories were given out of the queen's person, which were false: for I saw in a letter under the king's own hand that the marriage was consummated. Others talked of polygamy: and officious persons were ready to thrust themselves into any thing, that could contribute to their advancement. Lord Lauderdale and sir Robert Murray asked my opinion of these things. I said, I knew speculative people could say a great deal, in the way of argument for polygamy, and divorce: yet these things were so decried, that they were rejected by all Christian societies: so that all such propositions would throw us into great convulsions; and entail war upon us, if any issue came from a marriage so grounded*.

An accident happened at that time, that made the discoursing of those matters the common subject of conversation. The lord Roos, afterwards earl of Rutland, brought proofs of adultery against his wife; and obtained a sentence of divorce in the spiritual court: which amounting only to a separation from bed and board, he moved for a bill dissolving the bond, and enabling him to marry another wife. The duke and all his party apprehended the consequences of a parliamentary divorce: so they opposed this with great heat: and almost all the bishops were of that side: only Cosin† and Wilkins, the bishops of Durham and Chester, were for it. And the king was as earnest in the setting it on, as the duke was in opposing it. The zeal which the two brothers expressed on that occasion made all people conclude, that they had a particular concern in the matter. The bill passed: and upon that precedent some moved the king, that he would order a bill to be brought in to divorce him from the queen. This went so far, that a day was agreed on for making the motion in the house of commons, as Mr. May, of the privy purse, told me; (who had the greatest and longest share in the king's secret confidence of any man in that time; for it was never broken off, though often shaken, he being in his notions against every thing that the king was for,

* One of the most disreputable of our author's acts is connected with this subject. He confesses in the text that the dissolution of the king's marriage could not be justified either in law or conscience; yet of a project to permit his majesty to have more than one wife he spoke with less reprehension. Of this last opinion I am willing to admit that he might plead much in extenuation: God's favoured people—David, the man "after God's heart"—were polygamists; and as marriage is certainly only a civil contract, Burnet puts a plurality of wives upon the just footing when he quotes the strongest argument against it by observing that it is contrary to our laws, and it is rejected by all Christian societies. Notwithstanding the opinions thus expressed it appears to be too true, that Burnet wrote two treatises, one maintaining that a divorce is justifiable if a wife proves to be unfruitful, and the other concluding with these words, "I see nothing so strong against polygamy as to balance the great and visible imminent hazards that hang over so many thousands, if it be not allowed." These papers appear to have been written at the suggestion of the earl of Lauderdale, and were copied by the archbishop of Glasgow in the year 1680. Mr. Higgons says he saw the originals in the possession of the honourable Archibald Campbell.—Bevil Higgons' Remarks on Bishop Burnet, 158, &c. No defence can be urged for Burnet but that he consented to write against his conscience, because he thought the birth of legal offspring to the king was necessary for the interests of England. Yet Burnet's knowledge of history, to say nothing of the precepts of Christianity, ought to have taught him that no action is expedient that is not good.

† Dr. John Cosin deserves to be noticed as one of the most upright, learned, and munificent prelates that ever added dignity to the English church. At the same time it is but justice to remark that he was a lover of things as they are—he opposed the petition of the county of Durham for permission to return members of parliament, because it was not in accordance with the privileges of his bishopric! If he was somewhat too superstitious, the failing showed itself in the amiable form of having a profound reverence for everything connected with the worship of God. During the twelve years he presided over the see of Durham he spent nearly 30,000*l.* in public and private benefactions. He died in January 1672, aged rather more than seventy-seven.—Hutchinson's History of Durham; Smith's Vita Joannis Cosini; Basire's Funeral Sermon on Bishop Cosin. Cosin suffered much from the persecution of the parliament during the interregnum. He continued an exile in France until the restoration.

both France, popery, and arbitrary government; but a particular sympathy of temper, and his serving the king in his vices, created a confidence much envied, and often attempted to be broken, but never with any success beyond a short coldness:) but he added, when he told me of this design, that three days before the motion was to be made, the king called for him, and told him, that matter must be let alone, for it would not do. This disturbed him much: for he had engaged himself far in laying the thing, and in managing those who were to undertake the debate.

At this time the court fell into much extravagance in masquerading: both king and queen, and all the court, went about masked, and came into houses unknown, and danced there with a great deal of wild frolic. In all this people were so disguised, that, without being in the secret, none could distinguish them. They were carried about in hackney chairs. Once the queen's chairmen, not knowing who she was, went from her: so she was alone, and was much disturbed, and came to Whitehall in a hackney coach: some say it was in a cart. The duke of Buckingham proposed to the king, that he would give him leave to steal her away, and send her to a plantation, where she should be well and carefully looked to, but never heard of any more: so it should be given out, that she had deserted: and upon that it would fall in with some principles to carry an act for a divorce, grounded upon the pretence of a wilful desertion. Sir Robert Murray told me, that the king himself rejected this with horror. He said, it was a wicked thing to make a poor lady miserable, only because she was his wife, and had no children by him, which was no fault of hers. The hints of this broke out: for the duke of Buckingham could conceal nothing. And upon that the earl of Manchester, then lord chamberlain, told the queen, it was neither decent nor safe for her to go about in such a manner as she had done of late: so she gave it over. But at last all these schemes settled in a proposition, into which the king went; which was to deal with the queen's confessor, that he might persuade her to leave the world, and to turn religious: upon which the parliament would have been easily prevailed on to pass a divorce. This came to be known: but what steps were made in it were never known. It was believed, that upon this the duchess of York sent an express to Rome with the notice of her conversion; and that orders were sent from Rome to all about the queen to persuade her against such a proposition, if any should suggest it to her. She herself had no mind to be a nun: and the duchess was afraid of seeing another queen: and the mistress, at that time created duchess of Cleveland, knew that she must be the first sacrifice to a beloved queen: and she reconciled herself upon this to the duchess of York. The duke of Buckingham upon that broke with her, and studied to take the king from her by new amours: and because he thought a gaiety of humour would take much with the king, he engaged him to entertain two players one after another, Davies and Gwyn *. The first did not keep her hold long: but Gwyn, the most indiscreet and most wild creature that ever was in a court, continued to the end of the king's life in great favour, and was maintained at a vast expense. The duke of Buckingham told me, that when she was first brought to the king, she asked only 500*l.* a year: and the king refused it. But when he told me this, about four years after, he said, she had got of the king above sixty thousand pounds. She acted all persons in so lively a manner, and was such a constant diversion to the king, that even a new mistress could not drive her away. But, after all, he never treated her with the decencies of a mistress. The king had another mistress, that was managed by lord Shaftesbury, who was the daughter of a clergyman, Roberts: in whom her first education had so deep a root, that, though she fell into many scandalous disorders, with very dismal adventures in them all, yet a principle of religion was so deep laid in her, that, though it did not restrain her, yet it kept alive in her such a constant horror at sin, that she was never easy in an ill course, and died with a great sense of her former ill life. I was often with her the last three months of her life. The duchess of Cleveland, finding that she had lost the king, abandoned herself to great disorders: one of which, by the artifice of the duke of Buckingham, was discovered by the king in person, the party concerned leaping out of the window. She also spoke of the king to all people in such a manner, as brought him under much contempt. But he seemed insensible: and though libels of all sorts had then a very free course, yet he was never disturbed at it.

* Memoirs of these and others of the king's concubines have been given at p. 111.

The three most eminent wits of that time, on whom all the lively libels were fastened, were the earls of Dorset and Rochester, and sir Charles Sedley. Lord Dorset was a generous good-natured man. He was so oppressed with phlegm, that till he was a little heated with wine he scarcely ever spoke: but he was upon that exaltation a very lively man. Never was so much ill nature in a pen as in his, joined with so much good nature as was in himself, even to excess; for he was against all punishing even of malefactors. He was bountiful, even to run himself into difficulties: and charitable to a fault: for he commonly gave all he had about him when he met an object that moved him. But he was so lazy, that though the king seemed to court him to be a favourite, he would not give himself the trouble that belonged to that post. He hated the court, and despised the king, when he saw he was neither generous nor tender-hearted *. Wilmot, earl of Rochester, was naturally modest, till the court corrupted him. His wit had in it a peculiar brightness, to which none could ever arrive. He gave himself up to all sorts of extravagance, and to the wildest frolics that a wanton wit could devise. He would have gone about the streets as a beggar, and made love as a porter. He set up a stage as an Italian mountebank. He was for some years always drunk, and was ever doing some mischief. The king loved his company for the diversion it afforded, better than his person: and there was no love lost between them. He took his revenges in many libels. He found out a footman that knew all the court, and he furnished him with a red coat and a musket as a sentinel, and kept him all the winter long every night, at the doors of such ladies, as he believed might be in intrigues. In the court a sentinel is little minded, and is believed to be posted by a captain of the guards to hinder a combat: so this man saw who walked about, and visited at forbidden hours. By this means lord Rochester made many discoveries. And when he was well furnished with materials, he used to retire into the country for a month or two to write libels. Once, being drunk, he intended to give the king a libel that he had written on some ladies: but by a mistake he gave him one written on himself. He fell into an ill habit of body: and in several fits of sickness he had deep remorses; for he was guilty both of much impiety, and of great immoralities. But as he recovered he threw these off, and turned again to his former ill courses. In the last year of his life I was much with him, and have written a book of what passed between him and me. I do verily believe, he was then so entirely changed, that, if he had recovered, he would have made good all his resolutions †. Sedley had a more sudden and copious wit,

* Charles Sackville, sixth earl of Dorset and Middlesex, was born in 1637. His character has been elegantly sketched by Prior, and the chief events of his life by Dr. Johnson: from the latter production the following are extracts. "Though chosen a representative of East Grinstead in the first parliament after the restoration, he undertook no public employment, being too eager of the riotous and licentious pleasures which young men of high rank, who aspired to be thought wits, at that time imagined themselves entitled to indulge. One of these frolics has, by the industry of Wood, come down to posterity. Sackville, who was then lord Buckhurst, with sir Charles Sedley and sir Thomas Ogle, got drunk at the Cock in Bow Street by Covent Garden, and, going into the balcony, exposed themselves to the populace in very indecent postures. At last, as they grew warmer, Sedley stood forth naked, and harangued the populace in such profane language, that the public indignation was awakened; the crowd attempted to force the door, and, being repulsed, drove in the performers with stones. For this misdemeanour Sedley was fined 500*l.*; what was the sentence of the others is not known." Sackville, then lord Buckhurst, was a volunteer in the action with the Dutch, when their admiral Opdam was blown up in his vessel. "On the day before the battle, he is said to have composed the celebrated song, *To all you ladies now on land*, with equal tranquillity of mind and promptitude of wit. Seldom any splendid story is wholly true. I have heard from the late lord Orrery, who was likely to have hereditary intelligence, that lord Buckhurst had been a week employed upon it, and only retouched or finished it, on the memorable evening. But even this, whatever it may subtract from his facility, leaves him his courage." Subsequently he was a gentleman of Charles the Second's bed-chamber, and his representative in several minor embassies. On the death of his uncle the earl of Middlesex, he succeeded to his estates, in 1674, and in the following year was raised to that title by patent. In 1677, on the death of his father, he became earl of Dorset. His opposition to James the Second, and promotion under William, will be noticed in future pages. He died in 1706. "He was a man whose elegance and judgment were universally confessed, and whose bounty to the learned and witty was generally known. To the indulgent affection of the public, lord Rochester bore ample testimony in this remark: *I know not how it is, but lord Buckhurst may do what he will, yet is never in the wrong!*" As a poet, Dr. Johnson observes "his performances are, what they pretend to be, the effusions of a man of wit; gay, vigorous, and airy."—Johnson's Lives of the Poets; Walpole's Royal and Noble Authors.

† John Wilmot, earl of Rochester, was born in 1647, and died in 1680. Of this talented, licentious, but finally repentant nobleman nothing further need be observed here, as many notices will occur in subsequent pages. Those who wish to know more of his life will find a memoir in Wood's Athenæ Oxonienses; the character of his works in Johnson's Lives of the Poets; and the narrative of his conversion in Burnet's "Some Passages in the Life and Death of John, Earl of Rochester."

which furnished a perpetual run of discourse: but he was not so correct as lord Dorset nor so sparkling as lord Rochester *. The duke of Buckingham loved to have these much about him: and he gave himself up to a monstrous course of studied immoralities of the worst kinds; he was so full of mercury, that he could not fix long in any friendship, or to any design. Bennet (now made lord Arlington) and he fell out: Bennet was all cunning and artifice, and so could not hold long with him, who was so open that he disclosed every thing. Lord Arlington was engaged in a great intimacy with Clifford, Littleton, and Duncombe. I have already given some account of the two first. Duncombe was a judicious man, but very haughty, and apt to raise enemies against himself: he was an able parliament man: but could not go into all the designs of the court; for he had a sense of religion, and a zeal for the liberty of his country †. The duke of Buckingham's chief friends were the earls of Shaftesbury and Lauderdale, but, above all, sir Thomas Osborn, raised afterwards to be lord treasurer and earl of Danby, and since made duke of Leeds by the late king.

The king took sir William Coventry from the duke, and put him in the treasury. He was in a fair way to be the chief minister, and deserved it more than all the rest did. But he was too honest to engage in the designs into which the court was resolved to go, as soon as it had recovered a little reputation; which was sunk very low by the ill management of the Dutch war, and the squandering away of the money given for it. He was a man of the finest and the best temper that belonged to the court. The duke of Buckingham and he fell out, I know not for what reason: and a challenge passed between them, upon which Coventry was forbidden the court. And he upon that seemed to retire very willingly: and he was become a very religious man when I knew him. He was offered after that the best posts in the court, oftener than once: but he would never engage again. He saw what was at bottom, and was resolved not to go through with it; and so continued to his death in a retired course of life ‡.

The duke of Ormond continued still in the government of Ireland, though several interests joined together against him—the earls of Orrery and Ranelagh on the one hand, and Talbot on the other. Lord Orrery loved to appear in business; but dealt so much underhand, that he had not much credit with any side. Lord Ranelagh was a young man of great parts, and as great vices: he had a pleasantness in his conversation that took much with the king, and had a great dexterity in business. Many complaints were secretly brought against the duke

a work, says Dr. Johnson "which the critic ought to read for its elegance, the philosopher for its arguments, and the saint for its piety. It were an injury to the reader to offer him an abridgment."

* The best fame of sir Charles Sedley rests upon his dramatic works, and his exertions to promote the revolution, though the latter it is to be feared arose from a spirit of revenge rather than of patriotism. He was born in 1639, and died at the age of eighty.—Wood's Athenæ Oxon.—Biog. Brit.

† This was the John Duncombe of Battlesden, in Bedfordshire, mentioned by Wood. Charles the First, when in Carisbrook Castle, amused himself by having various disputations relative to the church service with a presbyterian divine, who was the governor's chaplain. "The king being a good logician, and well read in history and matters of controversy, gained ground of his opponent, and would please himself with one passage that happened, which was this. During their discourse, the chaplain then standing at the end of the presence-chamber, between a lieutenant of the garrison, who had a sword in his hand, and a gentleman who was not known there, the king, in the heat of his discourse, suddenly disarmed the lieutenant by taking the sword out of his hand, which made him look strangely, and the more when his majesty drew it, for that frightened the chaplain also, he not imagining the reason, until the stranger, better understanding the king's meaning, fell upon his knees, and the king laying the naked sword upon his shoulder, conferred upon him the honour of knighthood, telling him withal, it was to perform a promise to his relations." This stranger was Mr. Duncombe. In 1667, he was appointed one of Charles the Second's privy council, a commissioner of the ordnance, and soon after a commissioner of the treasury. In 1672, upon the earl of Shaftesbury's resignation, he was promoted to be chancellor and under-treasurer of the exchequer.—Wood's Athenæ Oxon. ii. 688, fol.

‡ Sir William Temple in his "Memoirs," (p. 449), and the earl of Dartmouth (Oxford ed. of this work), bear testimony that sir William Coventry was the most beloved and trusted by the house of commons, of the courtiers who sat among them. His word was always considered a sufficient assurance. The earl of Dartmouth relates that the duke of Buckingham wishing sir William to abuse this confidence by saying something to deceive the house, led to the challenge mentioned in the text.

Sir William was the fourth son of lord keeper Coventry. After the restoration he represented Yarmouth, in Norfolk. He was secretary to the duke of York and to the admiralty. In 1665, he was knighted and made a privy councillor. Some other events in his political career will be noticed hereafter. He continued a bachelor until his death, which was caused by the gout in his stomach, mistaken by his physicians for a calculous disorder. He died in 1686, aged sixty. He bequeathed 2,000*l.* to the French protestants, and 3,000*l.* for the redemption of captives at Algiers.—Wood's Athenæ Oxon. He wrote several works relating to the politics of his era.

of Ormond. The king loved him: and he accommodated himself much to the king's humour. Yet the king was, with much difficulty, prevailed on to put an end to his government of Ireland, and to put lord Roberts, afterwards made earl of Radnor, in his place; who was a morose man, believed to be severely just, and as wise as a cynical humour could allow him to be. The manner of removing the duke of Ormond will give a particular character of the king's temper. He sent lord Arlington to him for his commission. The duke of Ormond said, he had received it from the king's own hands, and he would go and deliver it to him. When he carried it to the king, the king denied he had sent any such message. Two days after that lord Arlington was sent again with the same message: and he had the same answer: and the king disowned it again to the duke. So the king declared in the privy council the change of the government of Ireland, and made Roberts lord lieutenant. And it flew abroad as a piece of news. The duke of Ormond hearing that, came to the king in great warmth, to expostulate upon it. But the king denied the whole thing, and sent him away: but he sent for Fitzpatrick, who had married his sister, and who told me the whole story, and sent him to the duke of Ormond, to tell him, the king had denied the matter, though it was true, for he observed he was in such a heat, that he was afraid he might have said indecent things: and he was resolved not to fall out with him: for though his affairs made it necessary to change the government of Ireland, yet he would still be kind to him, and continue him lord steward. Lord Radnor did not continue long in Ireland: he was cynical in his whole administration, and uneasy to the king in every thing: and in one of his peevish humours he wrote to the king, that he had but one thing to ask of him, which if it might be granted, he would never ask another, and that was to be discharged of his employment. The lord Berkley succeeded him, who was brother to the lord Fitzharding, and from small beginnings had risen up to the greatest post a subject was capable of. In the war he was governor of Exeter for the king, and one of his generals. He was named by him governor to the duke of York. He was now made lord lieutenant of Ireland; and afterwards sent ambassador to France, and plenipotentiary to Nimeguen. He was a man in whom it appeared with how little true judgment courts distribute favours and honours. He had a positive way of undertaking and determining in every thing, but was a very weak man, and not incorrupt *.

The court delivered itself up to vice. And the house of commons lost all respect in the nation; for they gave still, all the money that was asked. Yet those who opposed the court carried one great point, that a committee should be named to examine the accounts of the money that was given during the Dutch war. It was carried, that they should be all men out of the house †. Lord Brereton was the chief of them, and had the chair. He was a philosophical man, and was all his life long in search of the philosopher's stone, by which he neglected his own affairs, but was a man of great integrity, and was not to be gained by the flatteries, hopes, or threatenings of the court. Sir William Turner was another of the committee, who had been lord mayor of London the former year, under whose wise and just administration the rebuilding of the city advanced so fast, that he would have been chosen lord mayor for the ensuing year, if he had not declined it. Pierpoint was likewise of this committee; so was sir James Langham, a very weak man, famed only for his readiness of speaking florid Latin, which he had attained to a degree beyond any man of the age; but his style was too poetical, and full of epithets and figures.

I name sir George Saville last, because he deserves a more copious character. He rose afterwards to be viscount, earl, and marquis of Halifax. He was a man of a great and ready wit; full of life, and very pleasant; much turned to satire. He let his wit run much on

* George Berkley, earl Berkley, viscount Dursley, baron of Berkley, Mowbray, Seagrave, and Bruce, deserves little farther notice. His total incompeteney for the post of ambassador was noticed whilst at Nimeguen by sir William Temple.—Clarendon's Correspondence, i. 627. Mr. Wycherly is said to have sketched his character as lord Plausible in "The Plain Dealer." It is doubtful if Burnet is correct in representing him as vicious, though the authority last quoted supports the accusation. He gave to Sion College a very valuable library of books collected by sir Robert Coke for the use of the London clergy during "the troublous times." His lordship also wrote "Historical Applications, &c." He died in 1698, aged seventy-one.—Walpole's Catalogue of Royal and Noble Authors; Grainger's Biog. Hist.

† This committee brought to light the most barefaced misapplication of the public money. See Grey's Debates, i. 157, &c.

matters of religion, so that he passed for a bold and determined atheist; though he often protested to me, he was not one; and said, he believed there was not one in the world. He confessed he could not swallow down every thing that divines imposed on the world: he was a Christian in submission: he believed as much as he could, and he hoped that God would not lay it to his charge, if he could not digest iron, as an ostrich did, nor take into his belief things that must burst him: if he had any scruples they were not sought far, nor cherished by him; for he never read an atheistical book. In a fit of sickness, I knew him very much touched with a sense of religion. I was then often with him. He seemed full of good purposes, but they went off with his sickness. He was always talking of morality and friendship. He was punctual in all payments, and just in all his private dealings. But, with relation to the public, he went backwards and forwards, and changed sides so often, that in conclusion no side trusted him. He seemed full of commonwealth notions; yet he went into the worst part of king Charles's reign. The liveliness of his imagination was always too hard for his judgment. A severe jest was preferred by him to all arguments whatsoever. And he was endless in consultations: for when after much discourse a point was settled, if he could find a new jest to make even that which was suggested by himself seem ridiculous, he could not hold, but would study to raise the credit of his wit, though it might make others call his judgment in question. When he talked to me as a philosopher of his contempt of the world, I asked him, what he meant by getting so many new titles, which I called the hanging himself about with bells and tinsel. He had no other excuse for it but this, that, since the world were such fools as to value those matters, a man must be a fool for company: he considered them but as rattles; yet rattles please children; so these might be of use to his family. His heart was much set on raising his family; but, though he made a vast estate for them, he buried two of his sons himself, and almost all his grandchildren. The son that survived was an honest man, but far inferior to him. I do not remember who besides these were of that committee, which, because it sat in Brook-house, was called by the name of that house *.

The court was much troubled to see an inquiry of this kind set on foot. It was said, the king was basely treated, when all his expense was to be looked into. On the other hand it was answered, that the parliament did not look into his revenue, but only to the distribution of that treasure that was trusted to him for carrying on the war. I was told, that, after all the most shameful items that could be put into an account, there was none offered for about 800,000*l*. But I was not then in England; so I was very imperfectly informed as to this matter †. The chief men that promoted this were taken off, (as the word then was for corrupting members,) in which the court made so great a progress, that it was thought the king could never have been prevailed on to part with a parliament so much practised on, and where every man's price was known; for as a man rose in his credit in the house, he raised his price, and expected to be treated accordingly. In all this inquiry the carelessness and luxury of the court came to be so much exposed, that the king's spirit was much sharpened upon it. All the flatterers about him magnified foreign governments, where the princes were absolute, that in France more particularly. Many to please him said, it was a very easy thing to shake off the restraints of law, if the king would but set about it. The crown of Denmark was elective, and subject to a senate, and yet was in one day, without any visible force, changed to be both hereditary and absolute, no rebellion nor convulsion of state following on it. The king loved the project in general, but would not give himself the trouble of laying or managing it: and therefore, till his affairs were made easier, and the project grew clearer, he resolved to keep all things close within himself; and went on in the common maxim, to balance party against party, and by doing popular things to get money of his parliament, under the pretence of supporting the Triple Alliance. So money-bills passed easily in the house of commons, which by a strange reverse came to be opposed in the house of lords; who began to complain, that the money-bills came up so thick, that it was said, there was no end of their giving. End signifying purpose, as well

* This nobleman is so frequently noticed in connexion with the events of this and the following reigns, that no further notice is required. He was born in 1630.

† The charges substantiated against sir George Carteret, for the misappropriation of the money voted for the use of the navy, is in Grey's Debates, i. 157, &c.

as a measure, this passed as a severe jest at that time. Sir John Coventry made a gross reflection on the king's amours. He was one of those who struggled much against the giving money. The common method is: after those who oppose such bills fail in the main vote, the next thing they endeavour is, to lay the money on funds that will be unacceptable, and will prove deficient. So these men proposed the laying a tax on the play-houses, which in so dissolute a time were become nests of prostitution. And the stage was defiled beyond all example, Dryden, the great master of dramatic poesy, being a monster of immodesty, and of impurity of all sorts *. This was opposed by the court: it was said, the players were the king's servants, and a part of his pleasure. Coventry asked, whether did the king's pleasure lie among the men or the women that acted? This was carried with great indignation to the court. It was said, this was the first time that the king was personally reflected on: if it was passed over, more of the same kind would follow; and it would grow a fashion to talk so: it was therefore fit to take such severe notice of this, that nobody should dare to talk at that rate for the future. The duke of York told me, he said all he could to the king to divert him from the resolution he took; which was to send some of the guards, and watch in the streets where sir John lodged, and leave a mark upon him. Sandys and Obrian, and some others, went thither: and as Coventry was going home, they drew about him. He stood up to the wall, and snatched the flambeau out of his servant's hands: and with that in one hand, and his sword in the other, he defended himself so well, that he got more credit by it, than by all the actions of his life. He wounded some of them, but was soon disarmed: and then they cut his nose to the bone, to teach him to remember what respect he owed to the king: and so they left him, and went back to the duke of Monmouth's, where Obrian's arm was dressed. That matter was executed by orders from the duke of Monmouth; for which he was severely censured, because he lived then in professions of friendship with Coventry; so that his subjection to the king was not thought an excuse, for directing so vile an attempt on his friend, without sending him secret notice of what was designed. Coventry had his nose so well sewed up, that the scar was scarce to be discerned †. This put the house of commons in a furious uproar. They passed a bill of banishment against the actors of it, and put a clause in it, that it should not be in the king's power to pardon them. This gave great advantages to all those that opposed the court, and was often remembered, and much improved, by all the angry men of this time. The names of the court and country party, which till now had seemed to be forgotten, were again revived.

When the city was pretty well rebuilt, they began to take care of the churches, which had lain in ashes some years: and in that time conventicles abounded in all parts of the city. It was thought hard to hinder men from worshipping God any way as they could, when there were no churches, nor ministers to look after them. But they began to raise churches of boards, till the public allowance should be raised towards the building the churches. These they called tabernacles, and they fitted them up with pews and galleries. as churches.

* This must be understood of his writings for the stage, for as to his personal character, there was nothing remarkably vicious in it; but some of his plays are the fullest of obscenity of any now extant.

† Sir John Coventry was a grandson of the first earl of Coventry, and nephew of sir William, and Mr. Henry Coventry. At the coronation of Charles the Second, he was made a knight of the Bath, and sat as the representative of Weymouth during all that monarch's reign. The proposition, in the debate upon which sir John made the witty observation that called down upon him the resentment of the court, was, that every sitter in the boxes of a theatre should pay one shilling; every one in the pit sixpence, and each of the rest of the audience, threepence: this tax being towards the expenses of the government.—Grey's Debates, i. 332. Reresby, Marvell, and other authorities agree that the duke of Monmouth was the first instigator of the cowardly outrage. It occurred on the 21st of December, 1670, the very night the house adjourned. The assassins, variously stated at fifteen and twenty-five, lurked for their victim close by Suffolk-street, from ten at night until two the following morning. At this hour he returned from a tavern where he had supped. They would have proceeded to further outrage if some strangers had not come up. The ruffians were under the command of sir Thomas Sandys, a lieutenant in the duke of Monmouth's troop. Mr. Obrian was a son of the earl of Inchiquin. The house of commons showed its resentment by refusing to proceed with any bill until they had passed an act banishing these two worthies, who had fled to the continent, Simon Parry, Miles Reeves, &c.; and they made this a preamble to an act, making them and all future similar offenders felons, and incapable of being pardoned, but by a special act of parliament. This, usually called "the Coventry Act," is the 22nd and 23rd Car. 2, cap. 1. Sir John died a bachelor, and, which was never suspected even by his family, a Roman catholic. His will, giving the chief of his property to the jesuits, was annulled. He was the founder of an hospital at Wivelliscombe, for twelve poor persons.—Grainger's Biog. Hist., Oxford ed. of this work, &c.

So now an act was proposed, reviving the former act against conventicles, with some new clauses in it. One was very extraordinary, that if any doubt should arise concerning the meaning of any part of this act, it was to be determined in the sense that was the most contrary to conventicles, it being the intention of the house to repress them in the most effectual manner possible. The other was, the laying a heavy fine on such justices of the peace, as should not execute the law, when informations were brought them *. Upon this many, who would not be the instruments of such severities, left the bench, and would sit there no longer. This act was executed in the city very severely in Starling's mayoralty, and put things in such disorder, that many of the trading men of the city began to talk of removing with their stocks over to Holland. But the king ordered a stop to be put to farther severities. Many of the sects either discontinued their meetings, or held them very secretly with small numbers, and not in hours of public worship. Yet informers were encouraged, and were everywhere at work. The behaviour of the Quakers was more particular, and had something in it that looked bold. They met at the same place and at the same hour as before. And when they were seized, none of them would go out of the way. They went all together to prison; they staid there till they were dismissed, for they would not petition to be set at liberty, nor would they pay their fines set on them, nor so much as the jail fees, calling these the wages of unrighteousness. And as soon as they were let out, they went to their meeting-houses again; and when they found these were shut up by order, they held their meetings in the streets, before the doors of those houses. They said, they would not disown or be ashamed of their meeting together to worship God; but, in imitation of Daniel, they would do it the more publicly, because they were forbidden the doing it. Some called this obstinacy, while others called it firmness; but by it they carried their point: for the government grew weary of dealing with so much perverseness, and so began to let them alone.

The king had by this time got all the money that he expected from the house of commons, and that after great practice on both lords and commons. Many bones of contention were thrown in, to create differences between the two houses, to try if by both houses insisting on them the money-bills might fall. But, to prevent all trouble from the lords, the king was advised to go, and be present at all their debates. Lord Lauderdale valued himself to me on this advice, which he said he gave. At first the king sat decently on the throne, though even that was a great restraint on the freedom of debate, which had some effect for a while: though afterwards many of the lords seemed to speak with the more boldness, because, they said, one heard it to whom they had no other access but in that place; and they took the more liberty, because what they had said could not be reported wrong. The king, who was often weary of time, and did not know how to get round the day, liked the going to the house, as a pleasant diversion. So he went constantly. And he quickly left the throne, and stood by the fire, which drew a crowd about him, that broke all the decency of that house; for before that time every lord sat regularly in his place; but the king's coming broke the order of their sitting as became senators. The king's going thither had a much worse effect; for he became a common solicitor, not only in public affairs, but even in private matters of justice. He would in a very little time have gone round the house, and spoke to every man that he thought worth speaking to. And he was apt to do that upon the solicitation of any of the ladies in favour, or of any that had credit with them. He knew well on whom he could prevail; so, being once, in a matter of justice, desired to speak to the earl of Essex and the lord Hollis, he said, they were stiff and sullen men: but when he was next desired to solicit two others, he undertook to do it; and said, "they are men of no conscience, so I will take the government of their conscience into my own hands." Yet when any of the lords told him plainly, that they could not vote as he desired, he seemed to take it well from them. When the act against conventicles was debated in that house, Wilkins † argued long against it. The king was much for having it pass, not that he intended to execute it, but he was glad to have that body of men at mercy, and to force them to concur in the design for a

* This act is 22nd Charles 2, c. 1; its preamble declares it to be "against the growing and dangerous practices of seditious sectaries, &c. who, under pretence of tender consciences, have or may contrive at their meetings insurrections, as late experience hath shown."

† Bishop of Chester

general toleration. He spoke to Wilkins not to oppose it. He answered, he thought it an ill thing both in conscience and policy; therefore, both as he was an Englishman, and a bishop, he was bound to oppose it. The king then desired him not to come to the house while it depended. He said, by the law and constitution of England, and by his majesty's favour, he had a right to debate and vote; and he was neither afraid nor ashamed to own his opinion in that matter, and to act pursuant to it. So he went on; and the king was not offended with his freedom. But though he bore with such a frank refusing to comply with his desire, yet if any had made him such general answers, as led him to believe they intended to be compliant, and had not in all things done as he expected, he called that a juggling with him; and he was apt to speak hardly of them on that account. No sooner was the king at ease, and had his fleet put in good case, and his stores and magazines well furnished, than he immediately fell to negotiating with France, both to ruin Holland, and to subvert the government of England. The Brook-house business, as well as the burning his fleet, stuck as deep as any thing could do in his heart. He resolved to revenge the one, and to free himself from the apprehensions of the others returning upon him. Though the house of commons were so far practised on, that the report of Brook-house was let fall, and that matter was no more insisted on, yet he abhorred the precedent, and the discoveries that had been made upon it.

The prince of Orange came over to him in the winter of 1669. He was then in the twentieth year of his age; so he came over, both to see how the king intended to pay the great debt that he owed him, which had been contracted by his father on his account, and likewise to try what offices the king would do in order to his advancement to the statholdership. The king treated him civilly. He assured him he would pay the debt, but did not lay down any method of doing it: so these were only good words. He tried the prince, as the prince himself told me, in point of religion; he spoke of all the protestants as a factious body, broken among themselves, ever since they had broken off from the main body: and wished that he would take more pains, and look into these things better, and not be led by his Dutch blockheads. The prince told all this to Zuylestein, his natural uncle. They were both amazed at it, and wondered how the king could trust so great a secret, as his being a papist, to so young a person. The prince told me, that he never spoke of this to any other person till after his death: but he carried it always in his own mind, and could not hinder himself from judging of all the king's intentions after that, from the discovery he had then made of his own sentiments. Nor did he, upon his not complying with that proposition, expect any real assistance of the king, but general intercessions, which signified nothing; and that was all he obtained.

So far have I carried on the thread of the affairs of England, down from the peace of Breda to the year 1670, in which the negotiation with the court of France was set on foot. I am not sure, that every thing is told in just order, because I was all the while very much retired from the world and from company. But I am confident I have given a true representation of things; since I had most of these matters from persons who knew them well, and who were not likely to deceive me. But now I return to my own country, where the same spirit appeared in the administration.

The king was now upon measures of moderation and comprehension: so these were also pursued in Scotland. Leighton was the only person among the bishops who declared for these methods; and he made no step without talking it over to me. A great many churches were already vacant. The people fell off entirely from all the episcopal clergy in the western counties: and a set of hot, fiery, young teachers went about among them, inflaming them more and more: so it was necessary to find a remedy for this. Leighton proposed, that a treaty should be set on foot, in order to the accommodating our differences, and for changing the laws that had carried the episcopal authority much higher than any of the bishops themselves put in practice. He saw both church and state were rent: religion was likely to be lost: popery, or rather barbarity, was likely to come in upon us: and therefore he proposed such a scheme, as he thought might have taken with the soberest men of presbyterian principles; reckoning that, if the schism could be once healed, and order be once restored, it might be easy to bring things into such management, that the concessions then to be offered

should do no great hurt in present, and should die with that generation. He observed the extraordinary concessions made by the African church to the donatists, who were every whit as wild and extravagant as our people were; therefore he went indeed very far in the extenuating the episcopal authority: but he thought it would be easy afterwards, to recover what seemed necessary to be yielded at present.

He proposed that the church should be governed by the bishops and their clergy, mixing together in the church judicatories; in which the bishop should act only as a president, and be determined by the majority of his presbyters, both in matters of jurisdiction and ordination: and that the presbyterians should be allowed, when they sat down first in these judicatories, to declare, that their sitting under a bishop was submitted to by them only for peace sake, with a reservation of their opinion with relation to any such presidency: and that no negative vote should be claimed by the bishop: that bishops should go to the churches, in which such as were to be ordained were to serve, and hear and discuss any exceptions that were made to them, and ordain them with the concurrence of the presbytery: that such as were to be ordained should have leave to declare their opinion, if they thought the bishop was only the head of the presbyters. And he also proposed, that there should be provincial synods, to sit in course every third year, or oftener, if the king should summon them, in which complaints of the bishops should be received, and they should be censured accordingly. The laws that settled episcopacy, and the authority of a national synod, were to be altered according to this scheme. To justify, or rather to excuse these concessions, which left little more than the name of a bishop, he said, as for their protestation, it would be little minded, and soon forgotten: the world would see the union that would be again settled among us, and the protestation would lie dead in the books, and die with those that made it: as for the negative vote, bishops generally managed matters so, that they had no occasion for it; but, if it should be found necessary, it might be lodged in the king's name with some secular person, who should interpose as often as the bishop saw it was expedient to use it: and if the present race could be but laid in their graves in peace, all those heats would abate, if not quite fall off. He also thought it was a much decenter thing for bishops to go upon the place where the minister was to serve, and to ordain after solemn fasting and prayer, than to huddle it up at their cathedrals, with no solemnity, and scarcely with common decency. It seemed also reasonable, that bishops should be liable to censure, as well as other people: and that in a fixed court, which was to consist of bishops, and deans, and two chosen from every presbytery. The liberty offered to such as were to be ordained, to declare their opinion, was the hardest part of the whole. It looked like the perpetuating a factious and irregular humour. But few would make use of it. All the churches in the gift of the king, or of the bishops, would go to men of other principles. But though some things of an ill digestion were at such a time admitted, yet, if by these means the schism could be once healed, and the nation again settled in a peaceable state, the advantage of that would balance all that was lost by those abatements, that were to be made in the episcopal authority, which had been raised too high, and to correct that, was now to be let fall too low, if it were not the good that was to be hoped for from this *accommodation;* for this came to be the word, as *comprehension* was in England. He proposed farther, that a treaty might be set on foot, for bringing the presbyterians to accept of these concessions. The earl of Kincardine was against all treating with them; they were a trifling sort of disputatious people; they would fall into much wrangling, and would subdivide among themselves; and the young and ignorant men among them, that were accustomed to popular declamations, would say, here was a bargain made to sell Christ's kingdom, and his prerogative. He therefore proposed, that since we knew both their principles and their tempers, we ought to carry the concessions as far as it was either reasonable or expedient, and pass these into laws; and then they would submit to a settlement, that was made, and that could not be helped, more easily than give a consent beforehand, to any thing that seemed to entrench on that, which they called the liberty of the church. Leighton did fully agree with him in this: but lord Lauderdale would never consent to that. He said, a law that did so entirely change the constitution of the church, when it came to be passed and printed, would be construed in England as a pulling down of episcopacy; unless he could have this to say in

excuse for it, that the presbyterians were willing to come under that model. So he said, since the load of what was to be done in Scotland would fall heaviest on him, he would not expose himself so much, as the passing any such act must certainly do, till he knew what effects would follow on it. So we were forced now to try how to deal with them in a treaty.

I was sent to propose this scheme to Hutcheson, who was esteemed the most learned man among them: but I was only to try him, and to talk of it as a notion of my own. He had married my cousin-german, and I had been long acquainted with him. He looked on it as a project that would never take effect; so he would not give his opinion about it. He said, when these concessions were passed into laws, he would know what he should think of them; but he was one of many, so he avoided to declare himself. The next thing under consideration was, how to dispose of the many vacancies, and how to put a stop to conventicles. Leighton proposed, that they should be kept still vacant, while the treaty was on foot, and that the presbyterians should see how much the government was in earnest, in the design of bringing them to serve in the church, when so many places were kept open for them.

The earl of Tweedale thought the treaty would run into a great length, and to many niceties, and would perhaps come to nothing in conclusion: so he proposed the granting some of the ousted ministers leave to go and serve in those parishes by an act of the king's indulgence, from whence it came to be called *the indulgence*. Leighton was against this. He thought nothing would bring on the presbyterians to a treaty so much as the hopes of being again suffered to return to their benefices; whereas, if they were once admitted to them, they would reckon they had gained their point, and would grow more backward. I was desired to go into the western parts, and to give a true account of matters, as I found them there. So I went, as in a visit to the duke of Hamilton, whose duchess was a woman of great piety, and great parts. She had much credit among them, for she passed for a zealous presbyterian, though she protested to me she never entered into the points of controversy, and had no settled opinion about forms of government; only she thought their ministers were good men, who kept the country in great quiet and order: they were, she said, blameless in their lives, devout in their way, and diligent in their labours. The people were all in a frenzy, and were in no disposition to any treaty. The most furious men among them were busy in conventicles, inflaming them against all agreements: so she thought, that, if the more moderate presbyterians were put in vacant churches, the people would grow tamer, and be taken out of the hands of the mad preachers, that were then most in vogue: this would likewise create a confidence in them; for they were now so possessed with prejudices, as to believe that all that was proposed was only an artifice to make them fall out among themselves, and deceive them at last. This seemed reasonable; and she got many of the more moderate of them to come to me; and they all talked in the same strain.

A strange accident happened to Sharp in July, 1668, as he was going into his coach in full day-light, the bishop of Orkney being with him: a man came up to the coach, and discharged a pistol at him with a brace of bullets in it, as the bishop of Orkney was going up into the coach. He intended to shoot through his cloak at Sharp, as he was mounting up; but the bullet stuck in the bishop of Orkney's arm, and shattered it so, that, though he lived some years after that, they were forced to open it every year for an exfoliation. Sharp was so universally hated, that, though this was done in full day-light, and on the high street, yet nobody offered to seize the assassin. So he walked off, and went home, and shifted himself of an odd wig, which he was not accustomed to wear, and came out, and walked in the streets immediately. But Sharp had viewed him so narrowly, that he discovered him afterwards, as shall be mentioned in its proper place. I lived then much out of the world; yet I thought it decent to go and congratulate him on this occasion. He was much touched with it, and put on a show of devotion upon it. He said with a very serious look, "My times are wholly in thy hand, O thou God of my life." This was the single expression savouring of piety, that ever fell from him, in all the conversation that passed between him and me. Proclamations were issued out with great rewards for discovering the actor; but nothing followed on them. On this occasion it was thought proper that he should be called

to court, and have some marks of the king's favour put on him. He promised to make many good motions; and he talked for a while like a changed man; and went out of his way, as he was going to court, to visit me at my parsonage house, and seemed resolved to turn to other methods. The king, as he had a particular talent that way, when he had a mind to it, treated him with special characters of favour and respect. But he made no proposition to the king; only in general terms he approved of the methods of gentleness and moderation then in vogue.

When he came back to Scotland, he moved in council that an indulgence might be granted to some of the public resolutioners, with some rules and restraints; such as, that they should not speak, or preach against episcopacy, and that they should not admit to either of the sacraments any of the neighbouring parishes, without a desire from their own ministers; and that they should engage themselves to observe these rules. He knew that his proposition, for all the show of moderation that was in it, could have no effect, for the resolutioners and the protestors had laid down their old disputes, and were resolved to come under no discrimination on that account; nor would they engage to observe any limitations that should be laid on them. They said, the government might lay restraints on them, and punish them, if they broke through them: and they would obey them, or not, at their peril. But they laid down this for a maxim: that they had received a complete ministry from Christ, and that the judicatories of the church had only power to govern them in the exercise of their function. If the king should lay any limitations on them, they might obey these, as prudence should direct: but they would not bind themselves up by any engagement of their own. Burnet, and his clergy (for the diocese of Glasgow is above the fourth part of all Scotland) came to Edinburgh full of high complaints, that the churches were universally forsaken, and that conventicles abounded in every corner of the country. A proclamation was upon that issued out, in imitation of the English act, setting a fine of 50*l.* upon every landlord, on whose grounds any conventicle was held, which he might recover, as he could, of those who were at any such conventicle. This was plainly against law; for the council had no power by their authority to set arbitrary fines. It was pretended, on the other hand, that the act of parliament that had restored episcopacy had a clause in it, recommending the execution of that act to the privy council, by all the best ways they could think of. But the lawyers of the council board said, that in matters of property their power was certainly tied up to the direction of the law: and the clause mentioned related only to particular methods, but could not be construed so far, as this proclamation carried the matter. The proclamation went out, but was never executed. It was sent up to London, and had a show of zeal; and so was made use of by the earl of Lauderdale to bear down the clamour that was raised against him and his party in Scotland, as if they designed to pull down episcopacy. The model of the county militia was now executed; and above two thousand horse, and sixteen thousand foot, were armed and trained, and cast into independent regiments and troops, who were all to be under such orders as the council issued out. All this was against law; for the king had only a power upon an extraordinary occasion to raise, and march such a body of men, as he should summon together; and that at his own charge; but the converting this into a standing militia, which carried with it a standing charge, was thought a great stretch of prerogative. Yet it was resolved on, though great exceptions were made to it by the lawyers, chiefly by sir John Nesbit, the king's advocate, a man of great learning, both in law and in many other things, chiefly in the Greek learning: he was a person of great integrity, and always stood firm to the law. The true secret of this design was, that lord Lauderdale was now pressing to get into the management of the affairs of England. And he saw what the court was aiming at: and he had a mind to make himself considerable by this, that he had in his hand a great army, with a magazine of arms, and a stock of money laid up in Scotland, for any accident that might happen. So all his creatures, and lady Dysart more than all the rest, had this up in all companies, that none before him ever dreamt how to make Scotland considerable to the king; but now it began to make a great figure. An army, a magazine, and a treasure, were words of a high sound; chiefly now that the house of commons was likely to grow so intractable, that the duke of Buckingham despaired of being able to manage them. He moved the dissolving the parliament, and calling a new one; and thought the nation

would choose men less zealous for the church; for these were all against him. But the king would not venture on it. He knew the house of commons was either firm to him by their own principles, or by his management they could be made so; and therefore he would not run the risk of any new election. He had the dissenters much in his power by the severe laws under which they lay at his mercy: but he did not know what influence they might have in elections, and in a new parliament; these he knew were in their hearts enemies to prerogative; which he believed they would show, as soon as they got themselves to be delivered from the laws, that then put them in the king's power.

Lord Tweedale was then at London; and he set on foot a proposition that came to nothing, but made so much noise, and was of such importance, that it deserves to be enlarged on. It was for the union of both kingdoms. The king liked it, because he reckoned that, at least for his time, he should be sure of all the members that should be sent up from Scotland. The duke of Buckingham went in easily to a new thing; and lord keeper Bridgman was much for it. The lord Lauderdale pressed it vehemently; it made it necessary to hold a parliament in Scotland, where he intended to be the king's commissioner. The earl of Tweedale was for it on other accounts, both to settle the establishment of the militia, and to get some alterations made in the laws that related to the church; and he really drove at the union, as a thing which he thought might be brought about. Scotland, he said, was even then under great uneasiness, though the king knew the state of that kingdom; but when another king should reign that knew not Joseph (so he expressed it) the nation would be delivered up to favourites, and be devoured by them: rich provinces, like those that belonged to Spain, could hold out long under oppression; but a poor country would be soon dispeopled, if much oppressed: and if a king of deep designs against public liberty should caress the Scots, he might easily engage them; since a poor country may be supposed willing to change their seats, and to break in on a richer one: there was indeed no fear of that at present; for the dotage of the nation on presbytery, and the firmness with which the government supported episcopacy, set them so far from one another, that no engagement of that sort could be attempted; but if a king should take a dexterous method for putting that out of the way, he might carry Scotland to any design he thought fit to engage in. Lord Tweedale blamed sir Francis Bacon much for laying it down as a maxim, that Scotland was to be reckoned as the third part of the island, and to be treated accordingly: whereas he assured me, Scotland for numbers of people was not above a tenth part, and for wealth not above a fortieth part of the island.

The discourse of the union was kept up, till it was resolved to summon a new parliament in Scotland. Then lord Lauderdale made the king reflect on the old schemes he had laid before him at the Restoration: and he undertook to manage the parliament so, as to make it answer that end more effectually than any before him had ever done. This was resolved on in the summer of 1669. I being then at Hamilton, and having got the best information of the state of the country that I could, wrote a long account of all I had heard to the lord Tweedale, and concluded it with an advice to put some of the more moderate of the presbyterians into the vacant churches. Sir Robert Murray told me, the letter was so well liked, that it was read to the king. Such a letter would have signified nothing, if lord Tweedale had not been fixed in the same notion. He had now a plausible thing to support it. So my principles, and zeal for the church, and I know not what besides were raised, to make my advice signify somewhat: and it was said, I was the man that went most entirely into Leighton's maxims. So this indiscreet letter of mine, sent without communicating it to Leighton, gave the deciding stroke. And, as may be easily believed, it drew much hatred on me from all that either knew it, or did suspect it.

The king wrote a letter to the privy council, ordering them to indulge such of the presbyterians as were peaceable and loyal, so far as to suffer them to serve in vacant churches, though they did not submit to the present establishment; and he required them to set them such rules as might preserve order and peace, and to look well to the execution of them; and as for such as could not be provided in churches at that time, he ordered a pension of 20*l.* sterling a year, to be paid every one of them, as long as they lived orderly. Nothing followed on the second article of this letter: the presbyterians looked on this as the king's

hire to be silent, and not to do their duty: and none of them would accept of it. But, as to the first part of the letter, on the first council day after it was read, twelve of the ministers were indulged; they had parishes assigned them; and about thirty more were afterwards indulged in the same manner; and then a stop was put to it for some time. With the warrants that they had for their churches, there was a paper of rules likewise put in their hands. Hutcheson in all their names made a speech to the council: he began with decent expressions of thanks to the king, and their lordships; he said, they should at all times give such obedience to laws and orders, as could stand with a good conscience. And so they were dismissed. As for those of them that were allowed to go to the churches, where they had served before, no difficulty could be made; but those of them that were named to other churches would not enter on the serving them, till the church sessions and the inhabitants of the parish met, and made choice of them for their pastors, and gave them a call (as they worded it) to serve among them. But upon this, scruples rose among some, who said the people's choice ought to be free; whereas now they were limited to the person named by the council, which looked like an election upon a congé-d'élire, with a letter naming the person, with which they had often diverted themselves. But scruples are mighty things, when they concur with inclination or interest; and when they are not supported by these, men learn distinctions to get free from them. So it happened in this case; for though some few were startled at these things, yet they lay in no man's way; for every man went, and was possessed of the church marked out for him. And at first the people of the country ran to them with a sort of transport of joy. Yet this was soon cooled. It was hoped that they would have begun their ministry with a public testimony against all that had been done in opposition to what they were accustomed to call the work of God. But they were silent at that time, and preached only the doctrines of Christianity. This disgusted all those who loved to hear their ministers preach to the times, as they called it. The stop put to the indulgence made many conclude, that those who had obtained the favour had entered into some secret engagements. So they came to call them *the king's curates*, as they had called the clergy in derision the *bishops' curates*. Their caution brought them under a worse character of *dumb dogs*, that could not bark. Those, who by their fierce behaviour had shut themselves out from a share in the indulgence, began to call this erastianism, and the civil magistrates assuming the power of sacred matters. They said, this was visibly an artifice to lay things asleep with the present generation, and was one of the depths of Satan, to give a present quiet, in order to the certain destruction of presbytery. And it was also said, that there was a visible departing of the divine assistance from those preachers: they preached no more with the power and authority that had accompanied them at conventicles. So, many began to fall off from them, and to go again to conventicles. Many of the preachers confessed to me, that they found an ignorance and a deadness among those, who had been the hottest upon their meetings, beyond what could have been imagined. They that could have argued about the intrinsic power of the church, and episcopacy, and presbytery, upon which all their sermons had chiefly run for several years, knew very little of the essentials of religion. But the indulged preachers, instead of setting themselves with the zeal and courage that became them, against the follies of the people, of which they confessed to myself they were very sensible, took a different method, and studied by mean compliances to gain upon their affections, and to take them out of the hands of some fiery men that were going up and down among them. The tempers of some brought them under this servile popularity, into which others went out of a desire to live easy.

The indulgence was settled in a hurry: but when it came to be descanted on, it appeared to be plainly against law; for by the act restoring episcopacy, none were capable of benefices but such as should own the authority of bishops, and be instituted by them. So now the episcopal party, that were wont to put all authority in the king, as long as he was for them, began to talk of law. They said the king's power was bounded by the law, and that these proceedings were the trampling of law under foot. For all parties, as they need the shelter of law, or the stretches of the prerogative, are apt by turns to magnify the one, or the other. Burnet and his clergy were out of measure enraged at the indulgence. They were not only abandoned, but ill used by the people, who were beginning to threaten, or to buy them out

of their churches, that they also might have the benefit of the indulgence. The synod of the clergy was held at Glasgow in October; and they moved that an address might be drawn up, representing to the king the miseries they were under, occasioned by the indulgence: they complained of it as illegal, and as likely to be fatal to the church. This was, according to the words in some of their acts of parliament, a misrepresenting the king's proceedings, in order to the alienating the hearts of his subjects from him; which was made capital, as may appear by the account given in the former book of the proceedings against the lord Balmerinoch. He that drew this address was one Ross, afterwards archbishop, first of Glasgow, and then of St. Andrews; who was an ignorant man, and violent out of measure. So it was drawn full of acrimony: yet they resolved to keep it secret, till advice should be taken upon it; and accordingly, to present it to the privy council, or not. A copy of this was procured by indirect methods; and it was sent up to court, after the earl of Lauderdale was come off, and was in his way to hold a parliament in Scotland. Lord Lauderdale had left all his concerns at court with sir Robert Murray; for, though at his mistress's instigation, he had used him very unworthily, yet he had so great an opinion of his virtue and candour, that he left all his affairs to his care. As soon as the king saw the clergy's address, he said, it was a new western remonstrance; and he ordered that Burnet should not be suffered to come to the parliament, and that he should be proceeded against, as far as the law could carry the matter. It was not easy to stretch this so far, as to make it criminal: but Burnet being obnoxious on other accounts, they intended to frighten him to submit, and to resign his bishopric.

The parliament was opened in November. Lord Lauderdale's speech ran upon two heads. The one was, the recommending to their care the preservation of the church, as established by law: upon which he took occasion to express great zeal for episcopacy. The other head related to the union of both kingdoms. All that was done relating to this was, that an act passed for a treaty about it; and in the following summer, in a subsequent session, commissioners were named, who went up to treat about it. But they made no progress, and the thing fell so soon, that it was very visible it was never intended in good earnest *.

The two first acts that passed in parliament were of more importance, and had a deeper design. The first explained, and asserted the king's supremacy; but carried it in such general words, that it might have been stretched to every thing. It was declared that the settling all things relating to the external government of the church was a right of the crown: and that all things relating to ecclesiastical meetings, matters, and persons, were to be ordered according to such directions as the king should send to his privy council; and that these should be published by them, and should have the force of laws. Lord Lauderdale very probably knew the secret of the duke's religion, and had got into his favour. So it was very likely that he intended to establish himself in it, by putting the church of Scotland wholly in his power. But that was yet a secret to us all in Scotland. The method he took to get it passed was this: he told all those who loved presbytery, or that did not much favour the bishops, that it was necessary to keep them under, by making them depend absolutely on the king: this was, indeed, a transferring the whole legislature, as to the

* Sir John Nesbit was one of the commissioners on the part of Scotland. When the English parliament met in October, 1669, the king alluded to the proposed union in his speech from the throne. The lord keeper, Bridgman, enlarged more upon the subject. He observed, that the king was convinced that nothing would tend more to the good and security of both nations than such a union; and then proceeded to shew the gradual advances that had been made towards effecting it. James the First "went so far on towards this good work, that, by an act of parliament in the first year of his reign, commissioners were authorised to treat and consult with commissioners from Scotland concerning it. In pursuance of their treating, in the fourth year of his reign, an act was made for the repeal of hostile laws, and the abolition of the memory of hostility between the two nations. In the sixth year of the same reign, it was, by the judges of all the courts at Westminster Hall, solemnly adjudged in the case of the Postnati, (Coke's Reports, vii. 1.) that those who, after the descent of the English crown to king James, were born in Scotland, were no aliens in England, and, consequently were capable, not only to hold lands, but to enjoy all other immunities, as if they had been born here. Such advances to a union being made, his majesty doth most heartily recommend that commissioners may be nominated to treat and consult with commissioners from Scotland concerning its completion." The king gave similar recommendations to the Scottish parliament, through the earl of Lauderdale: and, in consequence, as mentioned in the text, the commissioners met, but without any progress being made. There was too much bigotry upon the point of church government to permit a satisfactory result.—Chandler's Debates in the House of Commons, i. 127. We shall see that this important measure was not effected until 1707, the sixth year of queen Anne's reign.

matters of the church, from the parliament, and vesting it singly in the king: yet, he told them, if this were done, as the circumstances might happen to be favourable, the king might be prevailed on, if a dash of a pen would do it, to change all on a sudden: whereas that could never be hoped for, if it could not be brought about, but by the pomp and ceremony of a parliament. He made the nobility see they need fear no more the insolence of bishops, if they were at mercy, as this would make them. Sharp did not like it, but durst not oppose it. He made a long dark speech, copied out of Dr. Taylor, distinguishing between the civil and ecclesiastical authority, and then voted for it: so did all the bishops that were present: some absented themselves. Leighton was against any such act, and got some words to be altered in it. He thought it might be stretched to ill ends: and so he was very averse to it. Yet he gave his vote for it, not having sufficiently considered the extent of the words, and the consequences that might follow on such an act, for which he was very sorry as long as he lived. But at that time there was no apprehensions in Scotland of the danger of popery. Many of the best of the episcopal clergy, Nairn, and Charteris in particular, were highly offended at the act. They thought it plainly made the king our pope. The presbyterians said, it put him in Christ's stead. They said, the king had already too much power in the matters of the church: and nothing ruined the clergy more, than their being brought into servile compliances, and a base dependance upon courts. I had no share in the counsels about this act. I only thought it was designed by lord Tweedale to justify the indulgence, which he protested to me was his chief end in it. And nobody could ever tell me how the words "ecclesiastical matters" were put in the act. Leighton thought he was sure they were put in after the draught and form of the act were agreed on. It was generally charged on lord Lauderdale. And when the duke's religion came to be known, then all people saw how much the legal settlement of our religion was put in his power by this means. Yet the preamble of the act being only concerning the external government of the church, it was thought that the words "ecclesiastical matters" were to be confined to the sense that was limited by the preamble.

The next act that passed was concerning the militia: all that had been done in raising it was approved: and it was enacted, that it should still be kept up, and be ready to march into any of the king's dominions, for any cause in which his majesty's authority, power, or greatness should be concerned; and that the orders should be transmitted to them from the council board, without any mention of orders from the king. Upon this great reflections were made. Some said that by this the army was taken out of the king's power and command, and put under the power of the council: so that if the greater part of the council should again rebel, as they did in the year 1638, the army was, by the words of this act, bound to follow their orders. But when jealousies broke out in England, of the ill designs that lay hid under this matter, it was thought that the intent of this clause was, that if the king should call in the Scotch army, it should not be necessary that he himself should send any orders for it; but that, upon a secret intimation, the council might do it without order, and then, if the design should miscarry, it should not lie on the king, but only on the council, whom in that case the king might disown; and so none about him should be blameable for it. The earl of Lauderdale valued himself upon these acts, as if he had conquered kingdoms by them. He wrote a letter to the king upon it, in which he said, all Scotland was now in his power: the church of Scotland was now more subject to him than the church of England was: this militia was now an army ready upon call: and that every man in Scotland was ready to march whensoever he should order it, with several very ill insinuations in it. But a dangerous thing it is to write letters to princes: this letter fell into duke Hamilton's hands some years after; and I had it in my hands for some days. It was intended to found an impeachment on it. But this happened at a time when the business of the exclusion of the duke from the succession of the crown was so hotly pursued, that this, which, at another time, would have made great noise, was not so much considered as the importance of it might seem to deserve. The way how it came into such hands was this: the king, after he had read the letter, gave it to sir Robert Murray; and when he died it was found among his papers. He had been much trusted in the king's laboratory, and had several of his chemical processes in his hands. So the king, after his death, did order one to

look over all his papers, for chemical matters; but all the papers of state were let alone *. So this, with many other papers, fell into the hands of his executors. And thus this letter came into duke Hamilton's hands, who would have made use of it if greater matters had not been then in agitation. This is not the single instance that I have known, of papers of great consequence falling into the hands of the executors of great ministers, that might have been turned to very bad uses if they had fallen into ill hands. It seems of great concern, that when a minister, or an ambassador dies, or is recalled, or is disgraced, all papers relating to the secrets of his employment should be of right in the power of the government. But I, of all men, should complain the least of this, since, by this remissness, many papers of a high nature have fallen in my way.

By the act of supremacy the king was now master, and could turn out bishops at pleasure. This had its first effect on Burnet; who was offered a pension if he would submit and resign, and was threatened to be treated more severely if he stood out. He complied, and retired to a private state of life, and bore his disgrace better than he had done his honours. He lived four years in the shade, and was generally much pitied: he was of himself good-natured and sincere; but was much in the power of others: he meddled too much in that which did not belong to him, and he did not understand; for he was not cut out for a court, or for the ministry: and he was too remiss in that which was properly his business, and which he understood to a good degree; for he took no manner of care of the spiritual part of his function.

At this time the University of Glasgow, to whom the choice of professor of divinity does belong, chose me, though unknown to them all, to be professor there. There was no sort of artifice or management to bring this about: it came of themselves: and they did it without any recommendation of any person whatsoever. So I was advised by all my friends to change my post, and go thither. This engaged me both into much study, and in a great deal of business. The clergy came all to me, thinking I had some credit with those that governed, and laid their grievances and complaints before me. They were very ill used, and were so entirely forsaken by their people, that in most places they shut up their churches: they were also threatened and affronted on all occasions. On the other hand, the gentlemen of the country came much to me, and told me such strange things of the vices of some, the follies of others, and the indiscretions of them all, that though it was not reasonable to believe all that they said, yet it was impossible not to believe a great deal of it. And so I soon saw what a hard province I was like to have of it. Accounts of the state of those parts were expected from me, and were likely to be believed. And it was not easy to know what ought to be believed, nor how matters were to be represented: for I found calumny was so equally practised on both sides, that I came to mistrust every thing that I heard. One thing was visible, that conventicles abounded, and strange doctrine was vented in them. The king's supremacy was now the chief subject of declamation: it was said, bishops were, indeed, enemies to the liberties of the church, but the king's little finger would be heavier than their loins had been. After I had been for some months among them, and had heard so much, that I believed very little, I wrote to lord Tweedale, that disorders did certainly increase; but, as for any particulars, I did not know what to believe, much less could I suggest what remedies seemed proper: I therefore proposed that a committee of council might be sent round the country to examine matters, and to give such orders as were at present necessary for the public quiet; and that they might prepare a report against the next session of parliament, that then proper remedies might be found out.

Duke Hamilton, lord Kincardine, Primrose, and Drummond were sent to these parts. They met first at Hamilton, next at Glasgow: then they went to other parts; and came back, and ended their circuit at Glasgow. They punished some disorders, and threatened both the indulged ministers and the countries with greater severities, if they should still grow more

* We have the testimony of Sheffield, duke of Buckingham, in his "character of Charles the Second," to the fondness of this monarch for chemical, or rather alchemical pursuits. Ashmole, Kenelm, Digby, and others were patronised by this monarch, as much for their chimerical pretensions to the knowledge of the philosopher's stone, as for their real merits. In some extended researches into the early history of chemistry, the editor was especially struck by the prevalence of this delusion among the higher classes during the seventeenth century.

and more insolent upon the favour that had been shewed them. I was blamed by the presbyterians for all they did, and by the episcopal party for all they did not; since these thought they did too little, as the others thought they did too much. They consulted much with me, and suffered me to intercede so effectually for those whom they had put in prison, that they were all set at liberty. The episcopal party thought I intended to make myself popular at their cost: so they began that strain of fury and calumny that has pursued me ever since from that sort of people, as a secret enemy to their interest, and an underminer of it. But I was, and still am, an enemy to all force and violence in matters of conscience: and there is no principle that is more hated by bad ill-natured clergymen than that.

The earls of Lauderdale and Tweedale pressed Leighton much to accept of the see of Glasgow. He declined it with so much aversion, that we were all uneasy at it. Nothing moved him to hearken to it, but the hopes of bringing about the accommodation that was proposed, in which he had all assistance promised him from the Government. The king ordered him to be sent for to court. He sent for me on his way, where he stopped a day, to know from me what prospect there was of doing any good. I could not much encourage him; yet I gave him all the hopes that I could raise myself to: and I was then inclined to think that the accommodation was not impracticable. Upon his coming to London, he found lord Lauderdale's temper was much inflamed: he was become fierce and intractable: but lord Tweedale made every thing as easy to him as was possible. They had turned out an archbishop; so it concerned them to put an eminent man in his room, who should order matters with such moderation, that the Government should not be under perpetual disturbance by reason of complaints from those parts.

But now the court was entering into new designs, into which lord Lauderdale was thrusting himself with an obsequious or rather an officious zeal. I will dwell no longer at present on that, than just to name the duchess of Orleans's coming to Dover, of which a more particular account shall be given, after that I have laid together all that relates to Scotland in the year 1670, and the whole business of the accommodation. Leighton proposed to the king his scheme of the accommodation, and the great advantages which his majesty's affairs would have if that country could be brought into temper. The king was at this time gone off from the design of a comprehension in England. Toleration was now thought the best way. Yet the earl of Lauderdale possessed him with the necessity of doing somewhat to soften the Scots, in order to the great design he was then engaging in. Upon that the king, who seldom gave himself the trouble to think twice of any one thing, gave way to it. Leighton's paper was, in some places, corrected by sir Robert Murray, and was turned into instructions, by which lord Lauderdale was authorised to pass the concessions that were to be offered into laws. This he would never own to me, though Leighton showed me the copy of them. But it appeared probable, by his conduct afterwards, that he had secret directions to spoil the matter, and that he intended to deceive us all. Lord Tweedale was more to be depended on. But he began to lose ground with Lady Dysart: and so his interest did not continue strong enough to carry on such a matter.

Leighton undertook the administration of the see of Glasgow: and it was a year after this before he was prevailed on to be translated thither. He came, upon this, to Glasgow, and held a synod of his clergy, in which nothing was to be heard but complaints of desertion and ill usage from them all. Leighton, in a sermon that he preached to them, and in several discourses, both in public and private, exhorted them to look up more to God, to consider themselves as the ministers of the cross of Christ, to bear the contempt and ill usage they met with, as a cross laid on them, for the exercise of their faith and patience, to lay aside all the appetites of revenge, to humble themselves before God, to have many days for secret fasting and prayers, and to meet often together, that they might quicken and assist one another in those holy exercises; and then they might expect blessings from heaven upon their labours. This was a new strain to the clergy. They had nothing to say against it: but it was a comfortless doctrine to them, and they had not been accustomed to it. No speedy ways were proposed for forcing the people to come to church, nor for sending soldiers among them, or raising the fines to which they were liable. So they

went home as little edified with their new bishop as he was with them. When this was over, he went round some parts of the country to the most eminent of the indulged ministers, and carried me with him. His business was, to persuade them to hearken to propositions of peace. He told them some of them would be quickly sent for to Edinburgh, where terms would be offered them in order to the making up our differences: all was sincerely meant: they would meet with no artifices nor hardships: and if they received those offers heartily, they would be turned into laws: and all the vacancies then in the church would be filled by their brethren. They received this with so much indifference, or rather neglect, that it would have cooled any zeal that was less warm and less active than that good man's was. They were scarcely civil; and did not so much as thank him for his tenderness and care: the more artful among them, such as Hutcheson, said it was a thing of general concern, and that they were but single men. Others were more metaphysical, and entertained us with some poor arguings and distinctions. Leighton began to lose heart. Yet he resolved to set the negotiation on foot, and carry it as far as he could.

When lord Lauderdale came down to hold a session of parliament, letters were written to six of the presbyterian preachers, ordering them to come to town. There was a long conference between Leighton and them, before the earls of Lauderdale, Rothes, Tweedale, and Kincardine. Sharp would not be present at it: but he ordered Paterson, afterwards archbishop of Glasgow, to hear all, and to bring him an account of what passed. Leighton laid before them the mischief of our divisions, and of the schism that they had occasioned; many souls were lost, and many more were in danger by these means: so that every one ought to do all he could to heal this wide breach, that had already let in so many evils among us, which were likely to make way to many more: for his own part, he was persuaded that episcopacy, as an order distinct from presbyters, had continued in the church ever since the days of the apostles; that the world had every where received the christian religion from bishops, and that a parity among clergymen was never thought of in the church before the middle of the last century, and was then set up rather by accident than on design: yet, how much soever he was persuaded of this, since they were of another mind, he was now to offer a temper to them, by which both sides might still preserve their opinions, and yet unite in carrying on the ends of the gospel and their ministry: they had moderators amongst them, which was no divine institution, but only a matter of order: the king, therefore, might name these; and the making them constant could be no such encroachment on their function, as that the peace of the church must be broken on such an account: nor could they say that the blessing of the men named to this function, by an imposition of hands, did degrade them from their former office, to say no more of it: so they were still at least ministers: it is true others thought they had a new and special authority, more than a bare presidency: that did not concern them, who were not required to concur with them in anything, but in submitting to this presidency: and, as to that, they should be allowed to declare their own opinion against it, in as full and as public a manner as they pleased: he laid it to their consciences to consider of the whole matter, as in the presence of God, without any regard to party or popularity. He spoke, in all, nearly half an hour, with a gravity and force that made a very great impression on those who heard it. Hutcheson answered, and said their opinion for a parity among the clergy was well known: the presidency now spoken of had made way to a lordly dominion in the church; and, therefore, how inconsiderable soever the thing might seem to be, yet the effects of it both had been, and would be, very considerable: he therefore desired some time might be given them to consider well of the propositions now made, and to consult with their brethren about them: and, since this might seem an assembling together against law, he desired they might have the king's commissioner's leave for it. This was immediately granted. We had a second conference, in which matters were more fully opened, and pressed home, on the grounds formerly mentioned. Lord Lauderdale made us all dine together, and came to us after dinner: but could scarcely restrain himself from flying out, for their behaviour seemed both rude and crafty. But Leighton had prepared him for it, and pressed him not to give them a handle to excuse their flying off by any roughness in his deportment towards them. The propositions offered them were now generally known. Sharp cried out that episcopacy was to be undermined, since the negative

vote was to be let go. The inferior clergy thought that if it took effect, and the presbyterians were to be generally brought into churches, they would be neglected, and that their people would forsake them. So they hated the whole thing. The bigoted presbyterians thought it was a snare, and the doing that which had a fair appearance at present, and was meant only to lay that generation in their graves in peace; by which means episcopacy, that was then shaking over all the nation, would come to have another root, and grow again out of that. But the far greater part of the nation approved of this design: and they reckoned, either we should gain our point, and then all would be quiet, or if such offers were rejected by the presbyterians, it would discover their temper, and alienate all indifferent men from them; and the nation would be convinced how unreasonable and stubborn they were, and how unworthy they were of any farther favour. All that was done in this session of parliament was, the raising a tax, and the naming commissioners for the union with England; besides two severe acts passed against conventicles.

There had been a great one held in Fife, near Dunfermline, where none had ever been held before. Some gentlemen of estate were among them: and the novelty of the thing drew a great crowd together; for intimation had been given of it some days before. Many of these came in their ordinary arms. That gave a handle to call them the rendezvous of rebellion. Some of them were taken and brought to Edinburgh, and pressed to name as many as they knew of their fellow conventiclers: but they refused to do it. This was sent up to court, and represented as the forerunner of rebellion: upon which lord Lauderdale, hearing what use his enemies made of it, was transported almost to fits of rage. Severe acts passed upon it, by which their fines were raised higher, and they were made liable to arbitrary severities. The earl of Lauderdale, with his own hand, put in a word in the act that covered the papists, the fines being laid on such of the reformed religion as went not to church. He pretended by this to merit with the popish party, the duke in particular; whose religion was yet a secret to us in Scotland, though it was none at court. He said to myself, he had put in these words on design, to let the party know they were to be worse used than the papists themselves. All field conventicles were declared treasonable: and in the preacher, they were made capital. The landlords, on whose grounds they were held, were to be severely fined: and all who were at them were to be punished arbitrarily if they did not discover all that were present whom they knew. House conventicles, crowded without the doors, or at the windows, were to be reckoned and punished as field conventicles. Sir Robert Murray told me that the king was not well pleased with this act, as being extravagantly severe; chiefly in that of the preachers being to be punished by death. He said bloody laws did no good, and that he would never have passed it if he had known it beforehand. The half of the parliament abhorred this act: yet so abject were they in their submissions to lord Lauderdale, that the young earl of Cassilis was the single person that voted in the negative. This passed in parliament so suddenly, that Leighton knew nothing of it till it was too late. He expostulated with lord Tweedale severely about it: he said the whole complexion of it was so contrary to the common rules of humanity, not to say christianity, that he was ashamed to mix in counsels with those who could frame and pass such acts: and he thought it somewhat strange that neither he nor I had been advised with in it. The earl of Tweedale said, the late field conventicle being a new thing, it had forced them to severities that at another time could not be well excused: and he assured us there was no design to put it in execution.

Leighton sent to the western counties six episcopal divines, all, except myself, brought from other parts: Nairn and Charteris were two of them: the three others, Aird, Cook, and Paterson, were the best we could persuade to go round the country to preach in vacant churches, and to argue upon the grounds of accommodation with such as should come to them. The episcopal clergy, who were yet in the country, could not argue much for any thing; and would not at all argue in favour of a proposition that they hated. The people of the country came generally to hear us, though not in great crowds. We were, indeed, amazed to see a poor commonalty so capable of arguing upon points of government, and on the bounds to be set to the power of princes in matters of religion: upon all these topics they had texts of scripture at hand, and were ready with their answers

to any thing that was said to them. This measure of knowledge was spread even among the meanest of them, their cottagers, and their servants. They were, indeed, vain of their knowledge, much conceited of themselves, and were full of a most entangled scrupulosity; so that they found, or made, difficulties in every thing that could be laid before them. We stayed about three months in the country; and in that time there was a stand in the frequency of conventicles: but, as soon as we were gone, a set of those hot preachers went round all the places in which we had been, to defeat all the good we could hope to do. They told them the devil was never so formidable as when he was transformed into an angel of light.

The ousted ministers had many meetings in several parts of the kingdom. They found themselves under great difficulties. The people had got it among them, that all that was now driven at was only to extinguish presbytery, by some seeming concessions with the present generation; and that if the ministers went into it they gave up their cause, that so they themselves might be provided for during their lives, and die at more ease. So they, who were strangely subdued by their desire of popularity, resolved to reject the propositions, though they could not well tell on what grounds they should justify it. A report was also spread among them, which they believed, and had its full effect upon them: it was said that the king was alienated from the church of England, and weary of supporting episcopacy in Scotland; and so was resolved not to clog his government any longer with it; and that the concessions now made did not arise from any tenderness we had for them, but from an artifice to preserve episcopacy: so they were made believe that their agreeing to them was really a strengthening of that government, which was otherwise ready to fall with its own weight. And because a passage of scripture, according to its general sound, was apt to work much on them, that of "Touch not, taste not, handle not," was often repeated among them. It was generally agreed on to reject the offers made them. The next debate among them was, about the reasons they were to give for rejecting them; or whether they would comply with another proposition which Leighton had made them, that if they did not like the propositions he had made, they would see if they could be more happy than he was, and offer at other propositions. In their meetings they named two to maintain the debate, pro and con. They disputed about the protestation that they were allowed to make: and "protestatio contraria facto" was a maxim that was in great vogue among them. They argued upon the obligation by the covenant to maintain the church as then established, in doctrine, worship, discipline, and government: and so every thing that was contrary to that, was represented as a breach of their covenant: and none durst object to that. But that they might make a proposition which they were sure would not be hearkened to, they proposed that, among the concessions to be insisted on, one might be, a liberty to ordain without the bishops. When we heard what their reasonings were, papers were written, and sent among them, in answer to them. But it is a vain thing to argue when a resolution is taken up, not founded on argument—and arguments are only sought for to justify that which is already resolved on. We pressed them with this, that, notwithstanding their covenant, they themselves had afterwards made many alterations much more important than this of submitting to a constant moderator named by the king. Cromwell took from them the power of meeting in general assemblies; yet they went on doing the other duties of their function, though this, which they esteemed the greatest of all their rights, was denied them. When an order came out to sequester the half of the benefices of such as should still pray for the king, they upon that submitted, though before they had asserted it as a duty to which they were bound by their covenant: they had discontinued their ministry in obedience to laws and proclamations now for nine years: and those who had accepted the indulgence had come in by the king's authority, and had only a parochial government, but did not meet in presbyteries: from all which we inferred, that when they had a mind to lay down any thing that they thought a duty, or to submit to any thing that they thought an invasion of their rights, they could find a distinction for it: and it was not easy to shew why they were not as compliant in this particular. But all was lost labour: hot men among them were positive, and all of them were full of contention.

Duchess Hamilton sent for some of them, Hutcheson in particular. She said she did not

pretend to understand nice distinctions, and the terms of dispute: here was plain sense: the country might be again at quiet, and the rest of those that were ousted admitted to churches on terms that seemed to all reasonable men very easy: their rejecting this would give a very ill character of them, and would have very bad effects, of which they might see cause to repent when it would be too late. She told me all that she could draw from him, that she understood, was, that he saw the generality of their party was resolved against all treaties, or any agreement; and that if a small number should break off from them, it would not heal the old breaches, but would create new ones. In conclusion, nothing was likely to follow on this whole negotiation: we, who were engaged in it, had lost all our own side by offering at it; and the presbyterians would not make one step towards us.

Leighton desired another meeting with them at Paisley, to which he carried me and one or two more. They were about thirty. We had two long conferences with them. Leighton laid out before them the obligations that lay on them to seek for peace at all times, but more especially when we already saw the dismal effects of our contentions: there could be no agreement unless on both sides there was a disposition to make some abatements, and some steps towards one another: it appeared that we were willing to make even unreasonable ones on our side: and would they abate nothing in theirs? Was their opinion so mathematically certain, that they could not dispense with any part of it for the peace of the church and for the saving of souls? Many poor things were said on their side which would have made a less mild man than he was lose all patience. But he bore with all; and urged this question on them, would they have held communion with the church of God at the time of the council of Nice, or not? If they should say not, he would be less desirous of entering into communion with them; since he must say of the church at that time, "Let my soul be with theirs:" if they said they would; then he was sure they would not reject the offers now made them, which brought episcopacy much lower than it was at that time. One of the most learned among them had prepared a speech full of quotations, to prove the difference between the primitive episcopacy and ours at present. I was then full of those matters: so I answered all his speech, and every one of his quotations, and turned the whole upon him, with advantages that were too evident to be so much as denied by their own party: and it seemed the person himself thought so, for he did not offer at one word of reply. In conclusion, the presbyterians desired that the propositions might be given them in writing; for hitherto all had passed only verbally, and words, they said, might be misunderstood, misrepeated, and denied. Leighton had no mind to do it: yet, since it was plausible to say they had nothing but words to shew to their brethren, he wrote them down, and gave me the original, which I still have in my hands, but suffered them to take as many copies of it as they pleased. At parting he desired them to come to a final resolution as soon as they could, for he believed they would be called for by the next January to give their answers. And by the end of that month, they were ordered to come to Edinburgh. I went thither at the same time, upon Leighton's desire.

We met at the earl of Rothes's house, where all this treaty came to a short conclusion. Hutcheson, in all their names, said they had considered the propositions made to them, but were not satisfied in their consciences to accept of them. Leighton desired to know upon what grounds they stood out. Hutcheson said it was not safe to argue against law. Leighton said, that since the government had set on a treaty with them in order to the altering the laws, they were certainly left to a full freedom of arguing against them: these offers were no laws: so the arguing about them could not be called an arguing against law: he offered them a public conference upon them, in the hearing of all that had a mind to be rightly informed: he said the people were drawn into those matters so far as to make a schism upon them: he thought it was therefore very reasonable that they should likewise hear the grounds examined upon which both sides went. Hutcheson refused this: he said he was but one man; and that what he said was in the name of his brethren, who had given him no farther authority. Leighton then asked if they had nothing on their side to propose towards the healing of our breaches. Hutcheson answered, their principles were well enough known, but he had nothing to propose. Upon this Leighton, in a long discourse, told what was the design he had been driving at in all this negociation:

it was to procure peace, and to promote religion: he had offered several things which he was persuaded were great diminutions of the just rights of episcopacy: yet since all church power was for edification, and not for distraction, he had thought that, in our present circumstances, it might have conduced as much to the interest of religion, that episcopacy should divest itself of a great part of the authority that belonged to it, as the bishops' using it in former ages had been an advantage to religion: his offers did not flow from any mistrust of the cause: he was persuaded episcopacy was handed down through all the ages of the church from the apostles' days: perhaps he had wronged the order by the concessions he had made: yet he was confident God would forgive it, as he hoped his brethren would excuse it: now they thought fit to reject these concessions, without either offering any reason for doing it, or any expedient on their side: therefore, the continuance of our divisions must lie at their door, both before God and man: if ill effects followed upon this, he was free of all blame, and had done his part. Thus was this treaty broken off, to the amazement of all sober and dispassionate people, and to the great joy of Sharp, and the rest of the bishops; who now for a while seemed even pleased with us, because we had all along asserted episcopacy, and had pleaded for it in a high and positive strain.

I hope this will be thought a useful part of the history of that time; none knew the steps made in it better than myself. The fierce episcopal men will see, how much they were to blame for accusing that apostolical man Leighton, as they did, on this occasion: as if he had designed in this whole matter to betray his own order, and to set up presbytery. The presbyterians may also see, how much their behaviour disgusted all wise, moderate, and good men, when they rejected propositions, that came so home even to the maxims they had set up, that nothing but the fear of offending, that is of losing the credit they had with their party, could be so much as pretended for their refusing to agree to them. Our part in the whole negociation was sincere and open. We were actuated by no other principle, and had no other design, but to allay a violent agitation of men's spirits, that was throwing us into great distractions, and to heal a breach that was likely to let in an inundation of miseries upon us, as has appeared but too evidently ever since. The high party, keeping still their old bias to persecution, and recovering afterwards their credit with the government, carried violent proceedings so far, that, after they had thrown the nation into great convulsions, they drew upon themselves such a degree of fury from enraged multitudes, whom they had oppressed long and heavily, that, in conclusion, the episcopal order was put down, as shall be told in its proper place. The roughness of our own side, and the perverseness of the presbyterians, did so much alienate me from both, that I resolved to withdraw myself from any farther meddling, and to give myself wholly to study. I was then, and for three years after that, offered to be made a bishop; but I refused it. I saw the counsels were altering above, so I resolved to look on, and see whither things would turn.

My acquaintance at Hamilton, and the favour and friendship I met with from both the duke and duchess, made me offer my service to them, in order to the search of many papers, that were very carefully preserved by them; for the duchess's uncle had charged her to keep them with the same care as she kept the writings of her estate; since in these a full justification of her father's public actings, and of his own, would be found when she should put them in the hands of one that could set them in order, and in a due light. She put them all in my hands, which I acknowledge was a very great trust: and I made no ill use of it. I found there materials for a very large history. I wrote it with great sincerity, and concealed none of their errors. I did indeed conceal several things that related to the king: I left out some passages that were in his letters: in some of which was too much weakness, and in others too much craft and anger. I got through that work in a few months *. When the earl of Lauderdale heard that I had finished it, he desired me to come up to him, for he was sure he could both rectify many things, and enlarge on a great many more. His true design was to engage me to put in a great deal relating to himself in that work. I found another degree of kindness and confidence from him upon my coming up, than ever before. I had nothing to ask for myself, but to be excused from the offer of two bishoprics. But

* This work is a very authentic and full authority concerning the events of the struggle between Charles the First and the parliament.

whatsoever I asked for any other person was granted; and I was considered as his favourite. He trusted me with all secrets, and seemed to have no reserves with me. He indeed pressed me to give up with sir Robert Murray; and I saw, that upon my doing that, I should have as much credit with him as I could desire. Sir Robert himself apprehended this would be put to me, and pressed me to comply with him in it. But I hated servitude, as much as I loved him; so I refused it flatly. I told lord Lauderdale that sir Robert had been as a second father, or governor to me, and therefore I could not break friendship with him. But I promised to speak to him of nothing that he trusted to me. And this was all that ever he could bring me to, though he put it often to me. I was treated by him with an entire confidence. Applications were made to me, and every thing that I proposed was done. I laid before him the ill state the affairs of Scotland were falling into, by his throwing off so many of his friends. Duke Hamilton and he had been for some years in ill terms. I laid down a method for bringing them to a better understanding. I got kind letters to pass on both sides, and put their reconciliation in so fair a way, that upon my return to Scotland it was for that time fully made up. I had authority from him to try, how both the earls of Argyle and Tweedale might return to their old friendship with him. The earl of Argyle was ready to do every thing; but the earl of Athol had proposed a match between his son and lady Dysart's daughter, and he had an hereditary hatred to the lord Argyle and his family; so that could not be easily brought about. Lord Tweedale was resolved to withdraw from business. The earl of Lauderdale had for many years treated his brother, the lord Halton, with as much contempt as he deserved; for he was both weak and violent, insolent and corrupt. He had promised to settle his estate on his daughter, when the lord Tweedale's son married her: but his brother offered now every thing that lady Dysart desired, provided she would get his brother to settle his estate on him. So lord Halton was now taken into affairs, and had so much credit with his brother, that all the dependence was upon him. And thus the breach between the earls of Lauderdale and Tweedale was irreconcileable, though I did all I could to make it up.

As to church affairs, lord Lauderdale asked my opinion concerning them. I gave it frankly, to this purpose: there were many vacancies in the disaffected counties, to which no conformable men of any worth could be prevailed on to go; so I proposed, that the indulgence should be extended to them all, and that the ministers should be put into those parishes by couples, and have the benefice divided between them; and, in the churches, where the indulgence had already taken place, that a second minister should be added, and have the half of the benefice: by this means I reckoned, that all the ousted ministers would be again employed, and kept from going round the uninfected parts of the kingdom. I also proposed that they should be confined to their parishes, not to stir out of them without leave from the bishop of the diocese, or a privy councillor; and that, upon transgressing the rules that should be sent them, a proportion of their benefice should be forfeited, and applied to some pious use. Lord Lauderdale heard me to an end: and then, without urging one word upon any one branch of this scheme, he desired me to put it in writing; which I did. And the next year, when he came down again to Scotland, he made one write out my paper, and turned it into the style of instructions; so easily did he let himself be governed by those whom he trusted, even in matters of great consequence. Four bishops happened to die that year, of which Edinburgh was one. I was desired to make my own choice; but I refused them all: yet I obtained a letter to be written, by the king's order, to lord Rothes, that he should call the two archbishops, and four of the officers of state, and send up their opinion to the king of the persons fit to be promoted; and a private letter was written to the lords, to join with Leighton in recommending the persons that he should name. Leighton was uneasy, when he found that Charteris, and Nairn, as well as myself, could not be prevailed on to accept bishoprics. They had an ill opinion of the court, and could not be brought to leave their retirement. Leighton was troubled at this. He said, if his friends left the whole load on him, he must leave all to Providence: yet he named the best men he could think on. And, that Sharp might not have too public an affront put on him, Leighton agreed to one of his nomination. But now I go to open a scene of another nature.

The court was now going into other measures. The parliament had given the king all

the money he had asked for repairing his fleet, and for supplying his stores and magazines. Additional revenues were also given for some years. But at their last sitting, in the beginning of the year 1670, it appeared that the house of commons were out of countenance for having given so much money, and seemed resolved to give no more. All was obtained under the pretence of maintaining the Triple Alliance. When the court saw how little reason they had to expect farther supplies, the duke of Buckingham told the king, that now the time was come, in which he might both revenge the attempt on Chatham, and shake off the uneasy restraint of a house of commons. And he got leave from the king to send over sir Ellis Leighton to the court of France, to offer the project of a new alliance and a new war. Sir Ellis told me this himself; and was proud to think, that he was the first man employed in those black and fatal designs. But, in the first proposition made by us, the subduing of England, and the toleration of popery, here was offered, as that with which the design must be begun. France, seeing England so inclined, resolved to push the matter farther.

The king's sister, the duchess of Orleans, was thought the wittiest woman in France. The king of France had made love to her, with which she was highly incensed, when she saw it was only a pretence, to cover his addresses to Mademoiselle La Valière, one of her maids of honour, whom he afterwards declared openly to be his mistress: yet she had reconciled herself to the king, and was now so entirely trusted by him, that he ordered her to propose an interview with her brother at Dover. The king went thither, and was so much charmed with his sister, that every thing she proposed, and every favour she asked, was granted. The king could deny her nothing. She proposed an alliance, in order to the conquest of Holland. The king had a mind to have begun at home; but she diverted him from that. It could not be foreseen what difficulties the king might meet with upon the first opening the design: as it would alarm all his people, so it would send a great deal of wealth and trade, and perhaps much people, over to Holland; and by such an accession they would grow stronger, as he would grow weaker. So she proposed that they should begin with Holland, and attack it vigorously, both by sea and land: and upon their success in that, all the rest would be an easy work. This account of that negotiation was printed twelve years after, at Paris, by one Abbot Primi. I had that part of the book in my hands, in which this was contained. Lord Preston was then the king's envoy at Paris; so he, knowing how great a prejudice the publishing this would be to his master's affairs, complained of it. The book was upon that suppressed; and the writer was put in the Bastille. But he had drawn it out of the papers of M. Le Tellier's office: so there is little reason to doubt of the truth of the thing. Madame, as this book says, prevailed to have her scheme settled, and so went back to France. The journey proved fatal to her; for the duke of Orleans had heard such things of her behaviour, that it was said he ordered a great dose of sublimate to be given her, in a glass of succory water, of which she died a few hours after, in great torments; and when she was opened, her stomach was all ulcerated *.

* It is almost certain she was poisoned. Mr. speaker Onslow says, he saw letters from the duke of Montague, then our ambassador to France, in which he hints at the fact; and sir William Temple told the earl of Dartmouth, he found sufficient cause to advise the king to cease from prosecuting the enquiry, as he was not in a condition to resent the crime as a monarch ought, and he might prejudice her daughters' interests. One was afterwards married to the king of Spain, the other to the duke of Savoy.—(Oxford edition of this work.) The whole conduct of the duchess was calculated to rouse the jealousy of her husband. She fully coincided with the licentious manners of the Parisian court; was continually involved in amorous intrigues; and so far outraged decency as to bring with her to England Louise de Querouaille, afterwards duchess of Portsmouth, for the avowed purpose of influencing her brother, by pandering to the passion of which he was most the slave. The duke of Orleans was jealous of his wife's infidelity, and strictly forbade her journeying to London; so the French king, on the plea of visiting the national fortifications, came to Dunkirk with his court; and whilst he remained there, the duchess passed across the channel to Dover, where Charles and all his courtiers met her. This conduct inflamed the duke to the murderous resolution that followed, though we have no evidence in support of the charge that seems to have brought his resentment to a climax; namely, that an incestuous intercourse had taken place between her and king Charles. On the contrary, we have her dying declaration to Mr. Ralph Montague, that such accusation was false.—(Cunningham's Hist. of Great Britain; Fox's James the Second, &c.) The letters of Colbert, the French ambassador, and other authorities, demonstrate that the object of Charles in this secret treaty was to establish the papal religion in England, and to obtain a pension from France. The dissolution of the Triple Alliance, by attacking Holland, was only a preliminary step, having for its object the weakening the protestant combination for mutual support. "The king told me," says Colbert, writing to his master, "he believed that I must have thought, after reading his proposals, that he and all those to whom he had intrusted the conduct of this affair, must be mad to pretend to re-establish the catholic

Since I mention her death, I will set down one story of her, that was told me by a person of distinction, who had it from some who were well informed of the matter. The king of France had courted Madame Soissons, and made a show of courting Madame: but his affections fixing on Mademoiselle La Valière, she whom he had forsaken, as well as she whom he had deceived, resolved to be revenged; and they entered into a friendship in order to that. They had each of them a gallant; Madame had the Count de Guiche, and the other had the Marquis des Vardes, then in great favour with the king, and a very graceful person. When the treaty of the king of France's marriage was set on foot, there was an opinion generally received, that the infanta of Spain was a woman of great genius, and would have a considerable stroke in all affairs. So, many young men of quality set themselves to learn the Spanish language, to give them the more credit with the young queen. All that fell to the ground, when it appeared how weak a woman she was. These two were of that number. Count de Guiche watched an occasion, when a letter from the king of Spain was given to his daughter by the Spanish ambassador, and she tore the envelope, and let it fall. He gathered up all the parcels of it, together with the seal. From these they learned to imitate the king of Spain's writing. And they sent to Holland to get a seal engraven from the impression of the wax. When all was prepared, a letter was written, as in the name of the king of Spain, reproaching his daughter for her tameness in suffering such an affront, as the king put on her by his amours, with reflections full both of contempt and anger upon the king. There was one Spanish lady left about the queen; so they forged another letter, as from the Spanish ambassador to her, with that to the queen inclosed in it, desiring her to deliver it secretly into the queen's own hand. And they made a livery, such as the Spanish ambassador's pages wore; and a boy was sent in it with the letter. The lady suspected no forgery, but fancied the letter might be about some matter of state. She thought it safest to carry it to the king, who reading it, ordered an enquiry to be made about it. The Spanish ambassador saw he was abused in it. The king spoke to the Marquis des Vardes, not suspecting that he was in it, and charged him to search after the author of this abuse, that was intended to be put on him. The two ladies now rejoiced, that the looking after the discovery was put in the hands of a man so much concerned in it. He amused the king with the enquiries that he was making, though he was ever in a wrong scent: but in all this time Madame was so pleased with his conduct, that she came to like his person, and had so little command of herself, that she told Madame Soissons she was her rival. The other readily complied with her: and, by an odd piece of extravagance, he was sent for. And Madame Soissons told him, since he was in Madame's favour, she released him from all obligations, and delivered him over to her. The Marquis des Vardes thought this was only an artifice of gallantry, to try how faithful he was to his amours; so he declared himself incapable of changing, in terms full of respect for Madame, and of passion for the other. This raised in Madame so deep a resentment, that she resolved to sacrifice Des Vardes, but to save the Count de Guiche. So she gave him notice, that the king had discovered the whole intrigue, and charged him to hasten out of France. And, as soon as she believed that he was in Flanders, she told all to the king of France. Upon which Des Vardes was not only disgraced, but kept long a prisoner in Aigues-Mortes: and afterwards he was suffered to come to Montpelier. And it was almost twenty years after, before he was suffered to come to court. I was at court when he came first to it. He was much broken in health, but was become a philosopher, and was in great reputation among all Des

religion in England; yet he hoped, that, with your majesty's support, this great undertaking would have a happy issue: that the presbyterians and all the other sects had a greater aversion to the church of England than to the catholics: that all the sectaries breathed no other wish than for liberty of conscience; and that, provided they could obtain it, as it was his design they should, they would not oppose his religion: that, besides, he had good troops well affected to him; and that, if the late king, his father, had had so many, he would have stifled in their birth the troubles that caused his ruin: that he would still augment as much as possible his regiments and companies, under the most specious pretences he could devise: that all the magazines of arms were at his disposal, and all well filled: that he was assured of the principal places in England and Scotland: that the governor of Hull was a catholic; that those of Portsmouth, Plymouth, &c. would never swerve from their obedience to him: that as to the troops in Ireland, he hoped the duke of Ormond, who had great credit there, would be faithful to him; and that though the duke, not approving this change of religion, should fail in his duty, lord Orrery, who was a catholic in his heart, and who had much more influence in that army, would lead it wherever his majesty should command him."

Cartes' followers. Madame had an intrigue with another person, whom I knew well, the Count of Treville. When she was in her agony, she said, "Adieu Treville." He was so struck with this accident, that it had a good effect on him; for he went and lived many years among the fathers of the Oratory, and became both a very learned and devout man. He came afterwards out into the world. I saw him often. He was a man of a very sweet temper, only a little too formal for a Frenchman: but he was very sincere. He was a Jansenist. He hated the Jesuits, and had a very mean opinion of the king, which appeared in all the instances in which it was safe for him to shew it.

Upon Madame's death, as the Marshal Bellefonds came from France with the compliment to the court of England, so the duke of Buckingham was sent thither on pretence to return the compliment, but really to finish the treaty. The king of France used him in so particular a manner, knowing his vanity, and caressed him to such a degree, that he went without reserve into the interests of France: yet he protested to me, that he never consented to the French fleet's coming into our seas and harbours. He said, he was offered 40,000*l.* if he could persuade the king to yield to it; and he appealed to the earl of Dorset for this, who was in the secret. He therefore concluded, since, after all the uneasiness shewed at first, the king had yielded to it, that lord Arlington had the money. Lord Shaftesbury laid the blame of this chiefly on the duke of Buckingham: for he told me, that he himself had written a peremptory instruction to him from the king, to give up all treaty, if the French did insist on the sending a fleet to our assistance: and therefore he blamed him, as having yielded it up, since he ought to have broken off all farther treaty, upon their insisting on this. But the duke of York told me, there was no money given to corrupt the king's ministers; that the king and he had long insisted on having all their supplies from France in money, without a fleet; and that the French shewed them it was not possible for them to find out funds for so great an expense, unless we took a squadron of their ships; since they could not both maintain their own fleet and furnish us with the money that would be necessary, if we took not their squadron. It was agreed that the king should have 350,000*l.* a year during the war, together with a fleet from France. England was to attack the Dutch by sea, while the king of France should invade them by land with a mighty army. It was not doubted but that the states would find it impossible to resist so great a force, and would therefore submit to the two kings: so the division they agreed on was, that England should have Zealand, and that the king of France should have all the rest, except Holland, which was to be given to the Prince of Orange, if he would come into the alliance: and it should be still a trading country, but without any capital ships. Lord Lauderdale said upon that occasion to me, that whatsoever they intended to do, they were resolved to do it effectually all at once; but he would not go into farther particulars. That the year 1672 might be fatal to other commonwealths, as well as to the states, the duke of Savoy was encouraged to make a conquest of Genoa, though he afterwards failed in the attempt; and the king of Denmark was invited into the alliance, with the offer of the town of Hamburgh, on which he had long set his heart. The duke of Richmond was sent to give a lustre to that negociation, which was chiefly managed by Mr. Henshaw; who told me, that we offered that king some ships to assist him in seizing that rich town. But he was then in those engagements with the states of Holland, that even this offer did not prevail on him.

Lockhart was at this time brought to court by lord Lauderdale, hoping that he would continue in an entire dependence on him, and be his creature. He was under so great a jealousy from the government for his former actings, that he was too easy to enter into any employment, that might bring him into favour, not so much out of any ambition to rise, as from a desire to be safe, and to be no longer looked on as an enemy to the court; for when a foreign minister asked the king's leave to treat with him in his master's name, the king consented; but with this severe reflection, that he believed he would be true to any body but himself. He was sent to the courts of Brandenburgh and Lunenburgh, either to draw them into the alliance, or if that could not be done, at least to secure them from all apprehensions. But in this he had no success. And indeed when he saw into what a negociation he was engaged, he became very uneasy; for, though the blackest part of the secret

was not trusted to him, as appeared to me by his instructions, which I read after his death, yet he saw whither things were going. And that affected him so deeply, that it was believed to have contributed not a little to the languishing he soon fell under, which ended in his death two years after.

The war being thus resolved on, some pretences were in the next place to be sought out to excuse it; for, though the king of France went more roundly to work, and published that he was so ill satisfied with the conduct of the States, that it did not consist with his glory to bear it any longer, yet we thought it decent for us to name some particulars. It was said, we had some pretensions on Surinam, not yet completely satisfied; and that the States harboured traitors that fled from justice, and lived in Holland: some medals were complained of, that seemed dishonourable to the king; as also some pictures; and, though these were not made by public order, yet a great noise was raised about them. But an accident happened, that the court laid great hold of. The Dutch fleet lay off the coast of England the former year; and one of the king's yachts sailed by, and expected they should strike sail. They said, they never refused it to any man of war; but they thought that honour did not belong to such an inconsiderable vessel. I was then at court, and I saw joy in the looks of those that were in the secret. Selden had, in his *Mare Clausum*, raised this matter so high, that he made it one of the chief rights and honours of the crown of England, as the acknowledgement of the king's empire in the four seas. The Dutch offered all satisfaction for the future in this matter; but they would not send their admiral over as a criminal. While France was treating with England, they continued to amuse the Dutch; and they possessed De Groot, then the Dutch ambassador at Paris, or they corrupted him, into a belief that they had no design on them; and the Dutch were too secure, and depended too much on his advertisements. Yet the States entered into a negociation, both with Spain and the emperor, and with the king of Denmark, the elector of Brandenburgh, and the duke of Lunenburg. The king of Sweden was yet under age; and the ministry there desired a neutrality. France and England sent two ambassadors to them, both men of great probity, Pomponne and Mr. Henry Coventry, who were both recalled at the same time to be secretaries of state. Coventry was a man of wit and heat, of spirit and candour. He never gave bad advices; but when the king followed the ill advices that others gave, he thought himself bound to excuse, if not to justify them. For this the duke of York commended him much to me. He said, in that he was a pattern to all good subjects, since he defended all the king's counsels in public, even when he had blamed them most in private, with the king himself.

Our court having resolved on a war, did now look out for money to carry it on. The king had been running into a great debt ever since his restoration. One branch of it was for the pay of that fleet that brought him over. The main of it had been contracted during the former Dutch war. The king, in order to the keeping his credit, had dealt with some bankers, and had assigned over the revenue to them. They drove a great trade, and had made great advantage by it. The king paid them at the rate of eight per cent., and they paid those who put money in their hands only six per cent., and had great credit; for payments were made very punctually. The king had in some proclamations given his faith that he would continue to make good all his assignments, till the whole debt should be paid, which was now growing up to almost a million and a half. So one of the ways proposed for supplying the king with money was, that he should stop these payments for a year; it being thought certain, that by the end of the year the king would be out of all his necessities, by the hopes they had of success in the war. The earl of Shaftesbury was the chief man in this advice. He excused it to me, telling me what advantage the bankers had made, and how just it was for the king to bring them to an account, for their usury and extortions; and added, that he never meant the stop should run beyond the year. He certainly knew of it beforehand, and took all his own money out of the bankers' hands, and warned some of his friends to do the like. Lord Lauderdale did about this time marry lady Dysart, upon his own lady's death; and she wrote me a long account of the shutting up of the Exchequer, as both just and necessary. The bankers were broke: and great multitudes, who had trusted their money in their hands, were ruined by this dishonourable and perfidious

action. But this gave the king only his own revenue again. So other ways were to be found for an increase of treasure*.

By the peace of Breda it was provided, that, in order to the security of trade, no merchants' ships should be for the future fallen on, till six months after a declaration of war. The Dutch had a rich fleet coming from Smyrna, and other parts in the Mediterranean, under the convoy of a few men of war. Our court had advice of this; and Holmes was ordered to lie in wait for them, and to take them, near the Isle of Wight, with eight men of war. As he was sailing thither he met Spragge, who was returning from the Straits with a squadron of our ships, and told him that he had sailed along with the Dutch most of the way, and that they would pass within a day or two. Holmes thought he was much too strong for them, so did not acquaint Spragge with his design; for if he had stopped him to assist in the execution, probably the whole fleet had been taken, which was reckoned worth a million and a half. When they came up, Holmes fell upon them; but their convoy did their part so well, that not only the whole fleet sailed away, while they kept him in play, but they themselves got off at last favoured by a mist: and there were only a few ships taken, of so small a value, that they were not worth the powder that was spent in the action. This was a breach of faith, such as even Mahometans and pirates would have been ashamed of. The unsuccessfulness of it made it appear as ridiculous as it was base. Holmes was pressed to put it on the Dutch refusing to strike sail; yet that was so false, and there were so many witnesses to it, that he had not the impudence to affirm it†.

To crown all, a declaration was ordered to be set out, suspending the execution of all

* The earl of Dartmouth has declared, that Shaftesbury told this event as probable to sir Charles Duncombe, who had a large sum of his own, and another belonging to the marquis of Winchester, in the hands of bankers; from whom he withdrew them before the stoppage. This was the cause of the duke of Bolton espousing his cause so strenuously, when he was impeached, in the reign of king William: a support that succeeded in rescuing him by one vote.—(Oxford ed. of this work.) Echard, quoting a MS. work of sir John Tyley's, says, that the king, distressed by the want of money, promised the lord-treasurership to any one of his ministers who could devise means to raise 1,500,000*l.*, without applying to parliament. The next day, the earl of Shaftesbury, then lord Ashley, told sir Thomas Clifford there was a way to do this; but it was dangerous, and might by its consequences inflame both parliament and people. Wine makes us babblers; and by its due administration, sir Thomas obtained the embryo project from his friend, and went immediately to Whitehall, to claim the post of treasurer. The king renewed his promise, and, approving the project, fulfilled it.—Echard's Hist. iii. 288. That such a bungling, dishonest project required any great genius to conceive it, is not probable; and the story is rendered still more improbable by the fact, that lord Ashley, when he handed to him the treasurer's staff, passed on sir Thomas a eulogy that he would hardly have uttered in praise of a treacherous friend. Whoever was its first suggester, the project was proposed in council on the 2nd of January, 1672,—Life of sir W. Temple, p. 189,—and in four days after, the exchequer was closed. The natural consequences followed. The whole nation was panic-struck; the bankers stopped payment; few merchants were able to meet the bills they had accepted; trade was paralysed; and the very ships could not be cleared at the custom-house, for want of money. A proclamation was issued, stating that it was urgent necessity that had rendered the measure necessary; and promising the payment of six per cent. to the bankers, whilst their money was thus detained. This could not satisfy the public alarm, so the king's creditors were called to a meeting at the treasury, and promised payment from the next parliamentary grant, or from the regular royal income. But parliament was not summoned until February, 1673, and the exchequer continued closed for nearly a year and a half. Some persons who had deposited money with the bankers commenced actions against them; but by a still further illegal exercise of power, these actions were not allowed to proceed, by injunctions issued out of chancery! What were the judges about, that they heeded injunctions so totally contrary to law? Why did they not bring the measure at once to an issue?—and let Stuart tyranny, if it had dared, drag them from the bench for respecting the laws they were sworn to administer.

† Sir Robert Holmes had shewn himself qualified for this treachery, by his conduct in 1661, when, being also a time of peace, he seized Cape de Verde and other Dutch settlements on the coast of Guinea. When he approached the Dutch fleet, he made a show of amity, and invited on board their admiral; but he and his whole fleet were on their guard. The fight continued two whole days. The ministry, which from the initial letters of the five most influential members, Clifford, Arlington, Buckingham, Ashley, and Lauderdale, was called *the cabal*, were ashamed of this abortive injustice; for want of success deprived it even of the glitter that deludes the ignorant. In the *Gazette* it was represented as a mere rencontre, consequent to the Dutch refusing to strike their topsails; but the same document inadvertently admitted they were lowered. The declaration of war, which probably had been delayed in the hope that this booty, worth one million and a half sterling, might have been secured, was now issued. This was on the 17th of March, 1672. The conviction that right is on a nation's side, is as great a support to its efforts, as it is to an individual similarly combating; therefore declarations of war usually contain in their preambles the reasons that urge England inevitably to this step. In this instance they were partly false, and partly ridiculous; and concluded with the palpable and known falsehood, that England, notwithstanding this war, intended "to maintain the true intent and scope" of the peace made at Aix-la-Chapelle. The manifesto of France was equally contemptible, and urged the disrespect shewn to its monarch as a cause for commencing the war. Yet the only offences that his ministers could instance were, that there was insulting language in the *Dutch Gazette*, and that the king having taken the sun as his device, Van Benninghen, one of the negociators of the

penal laws, both against papists and nonconformists. Papists were no more to be prosecuted for their way of worship in their own houses; and the nonconformists were allowed to have open meeting-houses, for which they were to take out licences: and none were to disturb those who should meet for worship, by virtue of those licences. Lord-keeper Bridgman had lost all credit at court, so they were seeking an occasion to be rid of him, who had indeed lost all the reputation he had formerly acquired, by his being advanced to a post of which he was not capable. He refused to put the seal to the declaration, as judging it contrary to law. So he was dismissed, and the earl of Shaftesbury was made lord chancellor. Lord Clifford was made lord treasurer, lord Arlington and lord Lauderdale had both of them the garter, and as Arlington was made an earl, Lauderdale was made a duke: and this junto, together with the duke of Buckingham, being called *the cabal*, it was observed, that cabal proved a technical word, every letter in it being the first letter of those five, Clifford, Ashley, Buckingham, Arlington, and Lauderdale. They had all of them great presents from France, besides what was openly given them; for the French ambassador gave them all a picture of the king of France, set in diamonds, to the value of 3000*l*. Thus was the nation and our religion, as well as the king's faith and honour, set to sale and sold. Lord Shaftesbury resolved to recommend himself to the confidence of the court by a new strain, never before thought of. He said the writs for choosing the members of the house of commons might be issued out in the intervals of a session: and the elections made upon them were to be returned into chancery and settled there. So the writs were issued out; but whether any elections were made upon them, and returned, I cannot tell. I know the house of commons intended to have impeached him for this among other things; but he had the foresight and skill to prevent it*. When the declaration for toleration was published, great endeavours were used, by the court, to persuade the nonconformists to make addresses and compliments upon it. But few were so blind as not to see what was aimed at by it.

The duke was now known to be a papist; and the duchess was much suspected. Yet the presbyterians came in a body; and Dr. Manton, in their name, thanked the king for it, which offended many of their best friends†. There was also an order to pay a yearly pension of fifty pounds to most of them, and of an hundred pounds a year to the chief of the party. Baxter sent back his pension, and would not touch it; but most of them took it. All this I say upon Dr. Stillingfleet's word, who assured me he knew the truth of it; and in particular he told me, that Pool, who wrote the "Synopsis of the Critics," confessed to him

peace of Aix-la-Chapelle, had struck a medal, on which he compared himself to Joshua, who stayed the sun in his course. This medal, be it remarked, the Dutch government had suppressed.

* That there were members returned upon the writs so issued appears from the following statement:—"The new speaker was scarcely in the chair before a member, standing up and looking about him, said, 'he observed several new faces in the house, and did not remember that, before their last rising, the house had been moved for the filling so many places; so he doubted the regularity of the sitting of those people, and moved their titles might be examined.' Another member, seconding the motion, said, 'he supposed those gentlemen would have the modesty to withdraw, while their case was under debate, and not wait for the order of the house.' So this whole set of new elects, though mostly loyalists, filed out, and came in no more upon that choice."—North's Examen, 56. It was not determined against the validity of these elections until after some angry debate, in which the attorney-general, Finch, argued strongly in their favour.—Gray's Debates, ii. 2.

† Dr. Thomas Manton was born in 1620, and died in 1677. He was an example of the pains taken by Charles the Second to strengthen his interests with all sects; and the doctor, if he was the good man represented by Dr. Bates, in his funeral sermon, is at the same time an instance of admirable moderation. He was chaplain to Oliver Cromwell, "and when Richard was inaugurated to the protectorate, Manton, the peculiar chaplain to that dignity, as prelate to the protectorship, said prayers and blessed him, his armies, his council, and people." In 1660, he took orders of the bishop of Galloway; and soon after, by a mandate from the king, was made a doctor of divinity, and was not averse to promotion to a deanery. But he refused it, and was one of the ejected nonconformists in 1662. Manton was "round, plump and jolly." Such men are usually averse to active disputes, and obstinacy is rarely an ingredient of their dispositions. He was one of the commissioners at the Savoy conference; and lord Clarendon told Baxter, that he should not have despaired of bringing that conference to a happy conclusion, if he had been as fat as Manton. Shakspeare had made a similar observation upon human nature, for he makes Cæsar say,

> "Let me have men about me that are fat;
> Sleek-headed men, and such as sleep o' nights."

Archbishop Usher called him "a voluminous preacher," and his sermons seem to have been as heavy as they were long, for Bolingbroke, writing to Swift, promised "my next shall be as long as one of Dr. Manton's discourses, who taught my youth to yawn, and prepared me to be a high churchman, that I might never hear him read, nor read him more." His works have been published in five folio volumes; one of which contains 190 sermons on the 119th Psalm.—Wood's Athenæ Oxon.; Manton's Life by Dr. Harris. Calamy, &c.

that he had had fifty pounds for two years*. Thus the court hired them to be silent; and the greatest part of them were so, and very compliant. But now the pulpits were full of a new strain. Popery was every where preached against, and the authority of the laws was much magnified. The bishops, the bishop of London (Dr. Humphry Henchman) in particular, charged the clergy to preach against popery, and to inform the people of the controversy between us and the church of Rome. This alarmed the court, as well as the city and the whole nation. Clifford began to show the heat of his temper, and seemed a sort of enthusiast for popery. The king complained to Sheldon of this preaching on controversy, as done on purpose to inflame the people, and to alienate them from him and his government. Upon this Sheldon called some of the clergy together, to consider what answer he should make the king, if he pressed him any further on that head. Tillotson was one of these, and he suggested this answer: that since the king himself professed the protestant religion, it would be a thing without a precedent, that he should forbid his clergy to preach in defence of a religion which they believed, while he himself said he was of it. But the king never renewed the motion.

While things were in this fermentation, the duchess of York died. It was observed, that for fifteen months before that time she had not received the sacrament; and that, upon all occasions, she was excusing the errors that the church of Rome was charged with, and was giving them the best colours they were capable of. An unmarried clergy was also a common topic with her. Morley had been her father confessor; for he told me she practised secret confession to him from the time that she was twelve years old; and when he was sent away from the court, he put her in the hands of Blandford, who died bishop of Worcester. Morley also told me, that upon the reports that were brought him of her slackness in receiving the sacrament, she having been for many years punctual to once a month, he had spoken plainly to her about it, and told her what inferences were made upon it. She pretended ill health and business; but protested to him, she had no scruples with relation to her religion, and was still of the church of England; and assured him, that no popish priest had ever taken the confidence to speak to her of those matters. He took a solemn engagement of her, that if scruples should arise in her mind, she would let him know them, and hear what he should offer to her upon all of them. And he protested to me that, to her death, she never owned to him that she had any scruples, though she was for some days entertained by him at Farnham, after the date of the paper which was afterwards published in her name. All this passed between the bishop and me, upon the duke's showing me that paper, all written in her own hand, which was afterwards published by Maimburg. He would not let me take a copy of it; but he gave me leave to read it twice. And I went immediately to Morley, and gave him an account of it; from whom I had all the particulars already mentioned. And upon that he concluded that that unhappy princess had been prevailed on to give false words under her hand, and to pretend that these were the grounds of her conversion. A long decay of health came at last to a quicker crisis than had been apprehended. All of a sudden she fell into the agony of death. Blandford was sent for to prepare her for it, and to offer her the sacrament. Before he could come, the queen came in and sat by her. He was modest and humble, even to a fault; so he had not presence of mind enough to begin prayers, which probably would have driven the queen out of the room. But that not being done she, pretending kindness, would not leave her. The bishop spoke but little and fearfully. He happened to say, he hoped she continued still in the truth. Upon which she asked, "What is truth?" and then, her agony increasing, she repeated the word "Truth, Truth," often: and, in a few minutes after, she died, very little beloved or lamented. Her haughtiness had raised her many enemies. She was indeed a firm and a kind friend; but the change of her religion made her friends reckon her death rather a blessing than a loss, at that time, to them all. Her father, when he heard of her shaking in her religion, was more troubled at it than at all his own misfortunes. He wrote

* The truly valuable work here mentioned, "Synopsis Criticorum," was written by Matthew Pool during the leisure afforded by his ejection for non-conformity. He was one of the most erudite, charitable, and devout men of his age. Oates implicated him in the Popish Plot, and consequently he retired to Amsterdam, where he died, aged fifty-five, in 1679.—Ant. Wood's Fasti Oxon.; Gen. Biog. Dict., &c.

her a very grave and long letter upon it, enclosed in one to the duke *. But she was dead before it came into England.

I have set down all that I know concerning the fatal alliance with France, and our preparations for the second Dutch war. But that I may open the scene more distinctly, I will give as particular an account as I was able to gather of the affairs of the states of Holland at this time. And, because this was the fifth great crisis under which the whole Protestant religion was brought, I will lead my reader through a full account of them all; since I may probably lay things before him that he may otherwise pass over, without making due reflections on them.

The first crisis was, when Charles V., by the defeating the duke of Saxony, and the getting him and the landgrave of Hesse into his hands, had subdued the Smalcaldic league †: in which the strength of the protestant religion did then consist, having been weakened by the succeeding deaths of Henry VIII. and Francis I. Upon that defeat all submitted to the emperor; only the town of Magdeburgh stood out. The emperor should either not have trusted Maurice, or have used him better: and it seems that he reckoned Maurice had neither religion nor honour, since his ambition had made him betray his religion and abandon his party. When Maurice had got the electorate, he made himself sure of the army, and entered into an alliance with France and other princes of the empire; and made so quick a turn on the emperor, that he had almost surprised him at Innspruck, and of a sudden overturned all that design upon which the emperor had been labouring for many years. This ended in the edict of Passau, which settled the peace of Germany for that time.

The second crisis was towards the end of queen Mary's reign, when the protestant religion seemed extinguished in England; and the two cardinals of Lorrain and Granvell, then the chief ministers of the two crowns, designed a peace for that very end, that their masters might be at leisure to extirpate heresy, which was then spreading in both their dominions. But after they had formed their scheme queen Mary died, and was succeeded by queen Elizabeth in England. Soon after that the king of France was accidentally killed; so that kingdom fell under a long continuance of a minority and a civil war. And the Netherlands felt from thence, and from England, such encouragement, that they made the longest and bravest resistance that is to be found in all history; which was in a great measure owing to the obstinate and implacable cruelty of Philip II., and his great distance from the scene of the war; and was past all possibility of being made up, by reason of his perfidious breach of all agreements, and his using those that served him well in so base a manner, as he did both the duke of Alva and the prince of Parma.

The third crisis lasted from 1585 to the year 1589. Then began the league of France. The prince of Parma was victorious in the Netherlands. The prince of Orange was murdered. The States fell under great distractions. And Spain entered into a design of dethroning the queen of England, and putting the queen of Scots in her stead. In order to that, they were for some years preparing the greatest fleet that the world had ever seen, which came to be called the *Invincible Armada*. All Europe was amazed at these great preparations, and many conjectures were made concerning the design of such a vast fleet. Some thought of Constantinople, others talked of Egypt, in conjunction with the emperor of the Abissynes; but that which was most probable was, that king Philip intended to make a great effort, and put an end to the war of the Netherlands in one campaign. At last the true intent of it was found out. Walsingham's chief spies were priests; as he used always to say, an active but vicious priest was the best spy in the world. By one of these he had advice, that the king of Spain had fixed on a resolution with relation to his fleet; but that it was not yet communicated to any of his ministers in foreign courts. The king himself

* These letters, with the reasons assigned by the duchess for her conversion, are to be found in Melmoth's collection of "Elegant Epistles." As compositions, they are all good; but Clarendon's is especially noticeable for the prophetic warnings they contain of the ruin that would be incurred by the Stuarts if they separated from their protestant subjects. Laurence Hyde, earl of Rochester, in an unfinished paper, dwells at length upon the reasons for his sister becoming a papist; and thanks God, "that he did take her away before she had openly declared this sad alteration."—Singer's Clarendon Correspondence, i. 647.

† This was entered into in the year 1530, by the elector of Saxony and other German princes, for the defence of the protestant religion against the attacks of the emperor of Germany.—See Mosheim's Eccles. Hist. cent. xvi. cap. 3.

had indeed written a letter about it to the pope; but it was not entered in any office; so this was all that the intelligence from Madrid could discover. Upon this, one was sent to Venice, from whence the correspondence with Rome was held. And at Rome it was found out, that one of the pope's chief confidents had a mistress, to whom twenty thousand crowns were given, for a sight and copy of that letter. The copy of it was sent over soon after Christmas, in the winter of 1586. By it the king of Spain had acquainted the pope, that the design of his fleet was to land in England, to destroy queen Elizabeth and heresy, and to set the queen of Scots on the throne. In this he had the concurrence of the house of Guise; and he also depended on the king of Scotland. This proved fatal to the queen of Scots. It is true, king James sent one Steward, the ancestor of the lord Blantyre, who was then of his bedchamber, with an earnest and threatening message to queen Elizabeth, for the purpose of saving his mother. But in one of the intercepted letters of the French ambassador's then in Scotland, found among Walsingham's papers, it appears, that the king, young as he was then, was either very double or very inconstant in his resolutions. The French ambassador assured him, that Steward had advised the queen to put a speedy end to that business, which way she pleased; and that, as for his master's anger, he would soon be pacified, if she would but send him dogs and deer. The king was so offended at this, that he said he would hang him up in his boots as soon as he came back. Yet when he came back, it was so far from that, that he lay all that night in the bedchamber. As for the pompous embassy that was sent from France to protest against it, Maurier has told a very probable story of Henry the Third writing a letter with them to the queen; advising her to proceed with all haste to do that which the embassy was sent to prevent. He saw the house of Guise built a great part of their hopes on the prospect of their cousin's coming to the crown of England, which would cut off all the hopes the house of Bourbon had of assistance from thence. I have seen an original letter of the earl of Leicester's to the earl of Bedford, who had married his sister, and was then governor of Berwick, telling him that, how high soever the French ambassadors had talked in their harangues upon that occasion, calling any proceeding against the queen of Scots an open indignity, as well as an act of hostility against France, since she was queen dowager of France; yet all this was only matter of form and decency that was extorted from the king of France, and, how high soever they might talk, they were well assured he would do nothing upon it. So that unfortunate queen fell at that time, by reason of the Spanish preparations to conquer England, under the pretence of setting her on the throne. She died, much more decently than she had lived, in February, 1587.

But the court of England saw, that if king Philip's fleet was in a condition to conquer England, he would not abandon the design for her being put out of the way, and that he certainly intended to conquer it for himself, and not for another. So orders were given to make all possible haste with a fleet: yet they were so little provided for such an invasion, that, though they had then twenty good ships upon the stocks, it was not possible to get them in a condition to serve that summer: and the design of Spain was to sail over in 1587. So, unless by corruption, or any other method, the attempt could be put off for that year, there was no strength ready to resist so powerful a fleet; but when it seemed not possible to divert the present execution of so great a design, a merchant of London to their surprise undertook it. He was well acquainted with the state of the revenue of Spain, with all their charge, and all that they could raise. He knew all their funds were so swallowed up, that it was impossible for them to victual and set out their fleet, but by their credit in the bank of Genoa. So he undertook to write to all the places of trade, and to get such drafts made on that bank, that he should by that means have it so entirely in his hands, that there should be no money current there, equal to the great occasion of victualling the fleet of Spain. He reckoned the keeping such a treasure dead in his hands, till the season of victualling was over, would be a loss of 40,000*l.*; and at that rate he would save England. He managed the matter with such secrecy and success, that the fleet could not be set out that year. At so small a price, and with so skilful a management, was the nation saved at that time. This, it seems, was thought too great a mystery of state to be communicated to Camden, or to be published by him, when the instructions were put in his hands for writing the history of that glorious reign. But the famous Boyle, earl of Cork, who had then a great

share in the affairs of Ireland, came to know it; and told it to two of his children, from whom I had it. The story is so coherent, and agrees so well with the state of affairs at that time, that it seems highly credible. And, if it is true, it is certainly one of the most curious passages in our whole English history *. I return from this digression, which I hope will be no unacceptable entertainment to the reader: it is well known how the design of the Armada miscarried: and soon after that the duke of Guise was stabbed; not long after Henry the Third was also stabbed: and Henry the Fourth succeeded, who broke the league, with which the great designs of Spain fell to the ground. So happily did this third crisis pass over.

The fourth crisis was from the battle of Prague to the year 1630, in which, as was told in the first book, not only the elector-palatine fell, but almost all the empire came under the Austrian yoke. All attempts to shake it off proved unsuccessful, and fatal to those who undertook it, till the young and great king of Sweden, Gustavus Adolphus, engaged in it. The wars of Rochelle, together with the loss of that important place, seemed to threaten the destruction of the protestants of France. England fell under those unhappy jealousies, which began a disjointing between the king and his people. And the States were much pressed by the Spaniards under Spinola. Breda was taken; but the worst of all was, a quarrel that was raised between prince Maurice and Barnevelt, that will require a fuller discussion than was offered in the former book. All agree that William, prince of Orange, was one of the greatest men in story, who, after many attempts for the recovery of the liberty of the provinces, was in conclusion successful, and formed that republic. In the doing of it he was guilty of one great error, unless he was forced to it by the necessity of his affairs, which was the settling a negative in every one of the towns of Holland, in the matters of religion, of taxes, and of peace and war. It had been much safer, if it had been determined, that the two-thirds must concur, by which the government would have been much stronger. Some thought that he brought in so many little towns to balance the greater, of whom he could not be sure; whereas he could more easily manage these smaller ones. Others have said, that he was forced to it, to draw them to a more hearty concurrence in the war, since they were to have such a share in the government for the future. But, as he settled it, the corruption of any one small town may put all the affairs of Holland in great disorder. He was also blamed, because he laboured to raise the power of the stadtholder so high, that in many regards it was greater than the power of the counts of Holland had been: but this was balanced by its being made elective, and by the small appointments he took to himself. It seems he designed to have settled that honour in his family; for, after his death, there were several letters found among his papers from the duke of Anjou, when the provinces invited him to be their prince, by which the duke engaged himself to leave Holland and Zealand in the prince's hands. Before he died, he had in a great measure lost the affections of the clergy; because he was very earnest for the toleration of papists, judging that necessary for the engaging men of all persuasions, in the common concerns of liberty, and for encouraging the other provinces to come into the union. This was much opposed by the preachers in Holland, who were for more violent methods. Those, who but a few years before had complained of the cruelty of the church of Rome, were no sooner delivered from that, than they began to call for the same ways of prosecuting those who were of the other side. This made that great prince lose ground with the zealots of his own side before he died. With him all their affairs sank so fast, that they saw the necessity of seeking protection elsewhere. Their ministers did of themselves, without the concurrence of the States, send to queen Elizabeth, to desire her to take them under her protection, on such terms as she should prescribe. And, though the States were highly offended at this, yet they durst not at that time complain of it, much less punish it: but were forced by the clamour of

* Neither Watson in his "History of Philip the Second," nor Turner in his still more precise narrative of the reign of Elizabeth, alludes to this circumstance. There scarcely seems any other cause necessary to be assigned for the Armada not sailing in the year 1587, than the fact that sir F. Drake, in the spring of that year, destroyed nearly one hundred vessels loaded with stores and provisions for the fatuously-named "invincible" fleet; and, subsequently, in the same year, captured two galleons and a carrack returning with a freight of treasure from the east. "No doubt but this," said our gallant seaman in his despatch, "which Heaven has permitted us to do, will cause them to make great alteration of their intents."—Strype's Lett. 664; Camden, 352.

their people to follow an example, that was so irregularly set them. This I had from Halewyn of Dort, of whom I shall have occasion to write afterwards. When the queen sent over the earl of Leicester, with a new title, and an authority greater than was either in the counts of Holland, or in the stadtholder, by the name of supreme governor; he, as soon as he landed at Flushing, went first to church, where he ordered prayers to be offered up for a blessing on his counsels, and desired that he might receive the sacrament next day; and there he made solemn protestations of his integrity and zeal. This pleased the people so much, that Barnevelt, and the States at the Hague, thought it necessary to secure themselves from the effects of such a threatening popularity: so they sent for the count, afterwards prince Maurice, who was then at Leyden, not yet eighteen, and chose him stadtholder of Holland and Zealand. There had been no provision made against that, in their treaty with the earl of Leicester. Yet he was highly offended at it. I will go no farther into the errors of his government, and the end that the queen put to it; which she did, as soon as it appeared that he was incapable of it, and was beginning to betray, and to sell their best places.

Prince Maurice and Barnevelt continued long in a perfect conjunction of counsels; till upon the negotiation for a peace, or at least for a truce, they differed so much, that their friendship ended in a most violent hatred, and a jealousy that could never be made up. Prince Maurice was for carrying on the war, which set him at the head of a great army: and he had so great an interest in the conquests they made, that for that very reason Barnevelt infused it into the States, that they were now safe, and needed not fear the Spaniards any more; so there was no reason for continuing the war. Prince Maurice on the other hand said, their persecuted brethren in the popish provinces wanted their help to set them at liberty. The work seemed very easy, and the prospect of success was great. In opposition to this, it was said, since the seven provinces were now safe, why should they extend their territories? Those who loved their religion and liberty in the other provinces might come and live among them: this would increase both their numbers, and their wealth. whereas the conquest of Antwerp might prove fatal to them; besides, that both France and England interposed: they would not allow them to conquer more, nor become more formidable. All the zealous preachers were for continuing the war; and those that were for peace were branded as men of no religion, who had only carnal and political views. While this was in debate everywhere, the disputes began between Arminius and Gomarus, two famous professors at Leyden, concerning the decrees of God, and the efficacy of grace; in which those two great men, Maurice and Barnevelt, went upon interest, to lead the two parties, from which they both differed in opinion. Prince Maurice in private always talked on the side of the Arminians; and Barnevelt believed predestination firmly; but, as he left reprobation out in his scheme, so he was against the unreasonable severity with which the ministers drove those points. He found the Arminians were the better patriots; and he thought the other side, out of their zeal, were engaged for carrying on the war, so as that they called all the others indifferent as to all religions, and charged them as favourers of Spain and popery. I will go no farther into the differences that followed, concerning the authority of the States-general over the several provinces. It is certain that every province is a separate State, and has an entire sovereignty within itself: and that the States-general are an assembly of the deputies of the several provinces, but without any authority over them. Yet it was pretended, that extraordinary diseases required extraordinary remedies: and prince Maurice, by the assistance of a party that the ministers made for him among the people, engaged the States to assume an authority over the province of Holland, and to put the government in new hands. A court was erected by the same authority, to judge those who had been formerly in the magistracy. Barnevelt was accused, together with Grotius, and some others, as fomentors of sedition, and for raising distractions in the country. He was condemned, and beheaded. Others were condemned to perpetual imprisonment. And every one of the judges had a great gold medal given them, in the reverse of which the Synod of Dort was represented, which was called by the same authority. I saw one of those medals in the possession of the posterity of one of those judges. King James assisted prince Maurice in all this: so powerfully do the interests of princes carry them to concur

in things that are most contrary to their own inclinations. The prevailing passion of that king was his hatred of the puritans: that made him hate these opinions into which they went with great heat: and, though he encouraged all that were of the Arminian party in his own dominions, yet he helped to crush them in Holland: he hated Barnevelt upon another score, for his getting the cautionary towns out of his hands; and, according to the nature of impotent passions, this carried him to procure his ruin. After this victory that prince Maurice had got over the party that opposed him, he did not study to carry it much farther. He found quickly how much he had lost the hearts of the people, who had before that time made him their idol, and now looked on him with horror. He studied to make up matters the best he could, that he might engage the States in the Bohemian war: but all that was soon at an end. It was plain that he had no design upon their liberty; though he could not bear the opposition that he began to meet with from a free state.

His death put an end to all jealousies; and his brother, prince Henry Frederick, quickly settled the disputes of Arminianism by the toleration that was granted them. He was known to be a secret favourer of their tenets; he conducted the armies of the States with so much success, and left them so much at liberty as to all their state affairs, that all the jealousies which his brother's conduct had raised, were quite extinguished by him. The States made him great presents. He became very rich; and his son had the survivance of the stadtholdership; but his son had more of his uncle's fire in him, than of his father's temper. He opposed the peace of Munster all he could. The States came then to see that they had continued too long in their alliance with France against Spain, since France had got the ascendant by too visible a superiority: so that their interest led them now to support Spain against France. Prince William fell to be in ill terms with his mother. And she, who had great credit with the States, set up such an open opposition to her son, that the peace of Munster was in a great measure the effect of their private quarrel. Prince William, being married into the royal family of England, did all he could to embroil the States with the new commonwealth; but he met with such opposition, that he, finding the States were resolved to dismiss a great part of their army, suffered himself to be carried to violent counsels. I need not enlarge on things that are so well known, as his sending some of the States prisoners to Lovestein, and his design to change the government of Amsterdam, which was discovered by the post-boy, who gave the alarm a few hours before the prince could get thither. These things, and the effects that followed on them, are well known; as is also his death, which followed a few weeks after, in the most unhappy time possible for the princess royal's pregnancy: for, as she bore her son a week after his death, in the eighth month of her time, so he came into the world under great disadvantages. The States were possessed with great jealousies of the family, as if the aspiring to subdue the liberties of their country was inherent in it, and inseparable from it. His private affairs were also in a very bad condition: two great jointures went out of his estate, to his mother, and grandmother, besides a vast debt that his father had contracted to assist the king. Who could have thought that an infant, brought into the world with so much ill health, and under so many ill circumstances, was born for the preservation of Europe, and of the protestant religion? So unlike do the events of things prove to their first appearances. And, since I am writing of his birth, I will set down a story, much to the credit of astrology, how little regard soever I myself have to it. I had it from the late queen's own mouth; and she directed me to some who were of the prince's court in that time, who confirmed it to me. An unknown person put a paper into the old princess's hands, which she took from him, thinking it was a petition. When she looked into it, she found it was her son's nativity, together with the fortunes of his life, and a full deduction of many accidents, which followed very punctually, as they were predicted. But that which was most particular was, that he was to have a son by a widow, and was to die of the small-pox in the twenty-fifth year of his age. So those who were apt to give credit to predictions of that sort fancied, that the princess royal was to die, and that he was upon that to marry the widow of some other person. It was a common piece of raillery in the court, upon the death of any prince, to ask what a person his widow was. But when he was taken ill of the small-pox, then the deciphering the matter was obvious, and it struck his fancy so much, that probably it had

an ill effect upon him. Thus was the young prince born, who was some years after barred by the perpetual edict from all hopes of arriving at the stadtholdership.

The chief error in De Wit's administration was, that he did not again raise the authority of the council of state; since it was very inconvenient to have both the legislature and the execution in the same hands. It seemed necessary to put the conduct of affairs in a body of men that should indeed be accountable to the States, but should be bred to business. By this means their counsels might be both quick and secret; whereas, when all is to be determined by the States, they can have no secrets; and they must adjourn often to consult their principals: so their proceedings must be slow. During De Wit's ministry, the council of state was so sunk, that it was considered only as one of the forms of the government: but the whole execution was brought to the States themselves. Certainly a great assembly is a very improper subject of the executive part of power. It is indeed very proper that such a body should be a check on those who have the executive power trusted to them. It is true De Wit found it so, which was occasioned by reason of the English ambassador's being once admitted to sit in that council. They pretended, indeed, that it was only on the account of the cautionary towns, which moved the States to give England a right to some share in their counsels. After these were restored, they did not think it decent to dispute the right of the ambassador's sitting any more there; but the easier way was, the making that council to signify nothing, and to bring all matters immediately to the States. It had been happy for De Wit himself, and his country, if he had made use of the credit he had, in the great turn upon prince William's death, to have brought things back to the state in which they had been anciently; since the established errors of a constitution and government can only be changed in a great revolution. He set up on a popular bottom; and so he was not only contented to suffer matters to go on in the channel in which he found them, but in many things he gave way to the raising the separated jurisdiction of the towns, and to the lessening the authority of the courts at the Hague. This raised his credit, but weakened the union of the provinces. The secret of all affairs, chiefly the foreign negotiations, lay in a few hands. Others, who were not taken into the confidence, threw all miscarriges on him, which was fatal to him. The reputation he had got in the war with England, and the happy conclusion of it, broke a party that was then formed against him. After that he dictated to the States; and all submitted to him. The concluding the triple alliance in so short a time, and against the forms of their government, showed how sure he was of a general concurrence with everything that he proposed. In the negotiations between the States, and France, and England, he fell into great errors. He still fancied that the king of England must see his own interest so visibly, in the exaltation of the prince of Orange, that he reckoned that the worst that could happen was, to raise him to the trust of stadtholder; since England could not gain so much by a conjunction with France, as by the king's having such an interest in their government, as he must certainly come to have, when his nephew should be their stadtholder. So he thought he had a sure reserve to gain England at any time over to them. But he had no apprehension of the king's being a papist, and his design to make himself absolute at home: and he was amazed to find, that, though the court of England had talked much of that matter of the prince of Orange, when the States were in no disposition to hearken to it, and so used it as a reproach or a ground of a quarrel, yet when it came more in view, they took no sort of notice of it, and seemed not only cold, but even displeased with it. The prince, as his natural reservedness saved him from committing many errors, so his gravity, and other virtues, recommended him much to the ministers, and to the body of the people. The family of De Wit, and the town of Amsterdam, carried still the remembrance of what was passed fresh in their thoughts. They set it also up for a maxim, that the making of a stadtholder was the giving up their liberty, and that the consequence of it would be, the putting the sovereignty of their country in him, or at least in his family. The long continuance of a ministry in one person, and that to so high a degree, must naturally raise envy, and beget discontent, especially in a popular government. This made many become De Wit's enemies, and by consequence the prince's friends. And the preachers employed all their zeal to raise the respect of the people for a family, under which they had been so long easy and happy.

When the prince was of full age, it was proposed in so many places that he should have the supreme command of their armies and fleets, that De Wit saw the tide was too strong to be resisted. So, after he had opposed it long, he proposed some limitations, that should be settled, previously to his advancement. The hardest of all was, that he should bind himself by oath never to pretend to be stadtholder, nor so much as to accept of it, though it should be offered him. These conditions were not of an easy digestion; yet, it was thought necessary that the prince should be once at the head of their armies; that would create a great dependence on him; and if God blessed him with success, it would not be possible to keep him so low, as these limitations laid him: and the obligation never to accept of the stadtholdership could only be meant of his not accepting the offer from any tumultuary bodies of the populace, or the army, but could not be a restraint on him, if the States should make the offer, since his oath was made to them, and by consequence it was in their power to release the obligation that did arise from it to themselves. The court of England blamed him for submitting to such conditions: but he had no reason to rely much on the advices of those who had taken so little care of him during all the credit they had with the States, while the triple alliance gave them a great interest in their affairs. As soon as he was brought into the command of the armies, he told me he spoke to De Wit, and desired to live in an entire confidence with him. His answer was cold; so he saw that he could not depend upon him. When he told me this, he added, that he was certainly one of the greatest men of the age, and he believed he served his country faithfully. De Wit reckoned that the French could not come to Holland but by the Maese; and he had taken great care of the garrison of Maestricht; but very little of those that lay on the Rhine and the Isel, where the States had many places, but none of them good. They were ill fortified, and ill supplied. But most of them were worse commanded, by men of no courage, nor practice in military affairs, who considered their governments as places, of which they were to make all the advantage that they could.

Now I come to give an account of the fifth crisis brought on the whole reformation, which has been of the longest continuance, since we are yet in the agitations of it. The design was first laid against the States. But the method of invading them was surprising, and not looked for. The elector of Cologn was all his life long a very weak man: yet it was not thought that he could have been prevailed on to put the French in possession of his country, and to deliver himself with all his dominions over into their hands. When he did that, all upon the Rhine were struck with such a consternation, that there was no spirit nor courage left. It is true they could not have made a great resistance; yet if they had but gained a little time, that had given the States some leisure to look round them, to see what was to be done.

The king of France came down to Utrecht like a land flood. This struck the Dutch with so just a terror, that nothing but great errors in his management could have kept them from delivering themselves entirely up to him. Never was more applause given with less reason than the king of France had upon this campaign. His success was owing rather to De Wit's errors than to his own conduct. There was so little heart or judgment shown in the management of that run of success, that, when that year is set out, as it may well be, it will appear to be one of the least glorious of his life; though, when seen in a false light, it appears one of the most glorious in history. The conquest of the Netherlands at that time might have been so easily compassed, that, if his understanding and his courage had not been equally defective, he could not have miscarried in it. When his army passed the Rhine, upon which so much eloquence and poetry have been bestowed, as if all had been animated by his presence and direction, he was viewing it at a very safe distance. When he came to Utrecht, he had neither the prince of Conde nor M. Turenne to advise with: and he was wholly left to his ministers. The prince of Conde was slightly wounded, as he passed the Rhine; and Turenne was sent against the elector of Brandenburg, who was coming down with his army, partly to save his own country of Cleve, but chiefly to assist his allies the Dutch. So the king had none about him to advise with but Pomponne and Louvoy, when the Dutch sent to him to know what he demanded. Pomponne's advice was wise and moderate, and would in conclusion have brought about all that he intended. He proposed,

that the king should restore all that belonged to the seven provinces, and require of them only the places that they had without them; chiefly Maestricht, Bois le Duc, Breda, and Bergen-op-zoom: thus the king would maintain an appearance of preserving the seven provinces entire, which the crown of France had always protected. To this certainly the Dutch would have yielded without any difficulty. By this he had the Spanish Netherlands entirely in his power, separated from Holland and the empire, and might have taken them whensoever he pleased. This would have an appearance of moderation, and would stop the motion that all Germany was now in; which could have no effect if the States did not pay and subsist the troops. Louvoy on the other hand proposed, that the king should make use of the consternation the Dutch were then in, and put them out of a condition of opposing him for the future. He therefore advised, that the king should demand of them, besides all that Pomponne moved, the paying a vast sum for the charge of that campaign; the giving the chief church in every town for the exercise of the popish religion; and that they should put themselves under the protection of France, and should send an ambassador every year with a medal acknowledging it, and should enter into no treaties, or alliances, but by the directions of France. The Dutch ambassadors were amazed when they saw that the demands rose to so extravagant a pitch. One of them swooned away when he heard them read: he could neither think of yielding to them, nor see how they could resist them. There was an article put in for form, that they should give the king of England full satisfaction. But all the other demands were made without any concert with England, though Lockhart was then following the court.

I say nothing of the sea-fight in Solbay, in which De Ruyter had the glory of surprising the English fleet, when they were thinking less of engaging the enemy, than of an extravagant preparation for the usual disorders of the twenty-ninth of May; which he prevented, engaging them on the twenty-eighth, in one of the most obstinate sea fights that has happened in our age, in which the French took more care of themselves than became gallant men, unless they had orders to look on, and leave the English and Dutch to fight it out, while they preserved the force of France entire. De Ruyter disabled the ship in which the duke was, whom some blamed for leaving his ship too soon. Then his personal courage began first to be called in question. The admiral of the blue squadron (earl of Sandwich) was burnt by a fire-ship, after a long engagement, with a Dutch ship much inferior to him in strength: in it the earl of Sandwich perished with a great many about him, who would not leave him, as he would not leave his ship, by a piece of obstinate courage, to which he was provoked by an indecent reflection the duke made, on an advice he had offered, of drawing nearer the shore, and avoiding an engagement, as if in that he took more care of himself than of the king's honour *. The duke of Buckingham came aboard the fleet, though it was observed, that he made great haste away when he heard the Dutch fleet was in view. The duke told me, that

* Edward Montague, earl of Sandwich, was only in his forty-seventh year, when he was thus lost to his country, and thus adding to the long catalogue of misfortunes brought upon it by the Stuarts. We may take his character from bishop Parker's "History of His Own Times," a work written by one not at all friendly to those who were disliked by the duke of York. "He was," says this prelate, "a gentleman adorned with all the virtues of Alcibiades, and untainted by any of his vices; of high birth, full of wisdom, a great commander at sea and land, and also learned and eloquent; affable, liberal, and magnificent." Of the battle in which he lost his life, little need be said. The duke of York anchored his fleet in Sol, or Southwold Bay, on the coast of Suffolk; and, on the 28th of May, the flag-officers and captains went on shore to the various towns in the neighbourhood to carouse. The wind was blowing from the north-east, and the earl of Sandwich warned the duke that on that account the fleet was liable to be surprised by the enemy, and it would be advisable to stand out to sea; but the duke, instead of benefitting by the wise suggestion, reflected upon it as being prompted by fear. It was a fatal mistake; the Dutch came, and it was only by cutting their cables that the ships were enabled to escape their fire-ships: all was confusion; boats were hurrying to and from the shore to fetch the too-negligent commanders; and if a calm had not fortunately prevented the rapid approach of the Dutch, these would have been left behind. The earl dreadfully shattered seven of the Dutch men-of-war, and beat off three of their fire-ships; but a fourth grappled his gallant vessel, "*the Royal James*," and succeeded in firing her unquenchably. Six hundred, of a crew one thousand strong, lay in frightful slaughter upon her decks, and the flames threatened a still more painful death to the remainder. The earl, seeing that all human efforts were vain, ordered his captain, sir Richard Haddock, and the other survivors, to save themselves the best way they could, and then retired to his cabin. Sir Richard followed him thither, and urged him to save his life in a boat that still waited for him; but the earl, raising his face from the handkerchief he held in his hand, firmly refused, saying, "I see how things go, and I am resolved to perish with the ship." His body was found, and interred with public honours by the special command of the king.—Memoirs of James the Second; Campbell's Lives of the Admirals, &c.

he said to him, since they might engage the enemy quickly, he intended to make sure of another world; so he desired to know who was the duke's priest, that he might reconcile himself to the church. The duke told him, Talbot would help him to a priest; and he brought one to him. They were for some time shut up together; and the priest said, he had reconciled him according to their form. The duke of Buckingham, who had no religion at heart, did this only to recommend himself to the duke's confidence.

It may be easily imagined, that all things were at this time in great disorder at the Hague. The French possessed themselves of Naerden: and a party had entered into Muyden, who had the keys of the gates brought to them: but they, seeing it was an inconsiderable place, not knowing the importance of it, by the command of the water that could drown all to Amsterdam, flung the keys into the ditch, and went back to Naerden. But when the consequence of the place was understood, another party was sent to secure it; but before their return two battalions were sent from the prince of Orange, who secured the place, and by that means preserved Amsterdam, where all were trembling, and thought of nothing but of treating and submission. The States were very near the extremities of despair. They had not only lost many places, but all their garrisons in them. Guelder, Overyssel, and Utrecht, were quite lost: and the bishop of Munster was making a formidable impression on Groninghen, and at last besieged it. All these misfortunes came so thick, one after another, that no spirit was left. And to complete their ruin, a jealousy was spread through all Holland, that they were betrayed by those who were in the government; and that De Wit intended all should perish rather than the family of Orange should be set up. Mombas, one of their generals, who married De Groot's sister, had basely abandoned his post, which was to defend the Rhine where the French passed it: and when he was put in arrest for that, he made his escape, and went to the French for sanctuary. Upon this the people complained loudly; and the States were so puzzled that their hearts quite failed them. When they were assembled, they looked on one another like men amazed; sometimes all in tears. Once the Spanish ambassador came, and demanded audience: and when he was brought in he told them, that out of the affection that he bore them, and the union of his master's interest with theirs, he came to blame their conduct: they looked sad: they never appeared in the Vorhaut in their coaches: and upon all occasions they looked like men despairing of their country. This quite disheartened their people; therefore he advised them to put on another countenance, to publish that they had good news, that their allies were in march, and to feed their people with probable stories, and so to keep up their spirits. They thought the advice was seasonable, and followed it.

They sent two ambassadors, Dycvelt and Halewyn, to join with Borel, who was still in England, to try if it was possible to divide England from France. And the morning in which they were despatched away they had secret powers given them to treat, concerning the prince of Orange's being their stadtholder; for lord Arlington had so often reproached Borel for their not doing it, that he in all his letters continued still to press that on them. When they came over they were for form's sake put under a guard. Yet Borel was suffered to come to them, and was transported with joy when they told him what powers they had in that affair of the prince; and immediately he went to lord Arlington, but came soon back like one amazed, when he found that no regard was had to that which he had hoped would have entirely gained the court. But he was a plain man, and had no great depth. The others were sent to Hampton Court, and were told that the king would not treat separately, but would send over ambassadors to treat at Utrecht. They met secretly with many in England, and informed themselves by them of the state of the nation. They gave money liberally, and gained some in the chief offices to give them intelligence. The court understanding that they were not idle, and that the nation was much inflamed, since all the offers that they made were rejected, commanded them to go back. The duke of Buckingham and lord Arlington were ordered to go to Utrecht. And, to give the nation some satisfaction, lord Halifax was sent over afterwards. But he was not in the secret. The Dutch, hearing that their ambassadors were coming over without making peace with England, ran together in great numbers to Maesland sluice, and resolved to cut them in pieces at their landing: for they heard they were at the Brill. But, as they were crossing the Maese, a little boat

met them, and told them of their danger, and advised them to land at another place, where coaches were staying to carry them to the Hague. So they missed the storm that broke out fatally at the Hague the next day, where men's minds were in great agitation.

De Wit was once at night going home from the States, when four persons set on him to murder him. He shewed on that occasion both an intrepid courage and a great presence of mind. He was wounded in several places; yet he got out of their hands. One of them was taken and condemned for it. All De Wit's friends pressed him to save his life; but he thought that such an attempt on a man in his post, was a crime not to be pardoned: though, as to his own part in the matter, he very freely forgave it. The young man confessed his crime and repented of it; and protested that he was led to it by no other consideration but that of zeal for his country and religion, which he thought were betrayed. And he died as in a rapture of devotion, which made great impression on the spectators. At the same time a barber accused De Wit's elder brother of a practice on him, in order to his murdering the prince. There were so many improbabilities in his story, which was supported by no circumstances, that it seemed no way credible. Yet Cornelius de Wit was put to the torture on it, but stood firm to his innocence. The sentence was accommodated rather to the state of affairs, than to the strict rules of justice. In the mean time, while his brother had resigned his charge of pensionary, and was made one of the judges of the high court, Cornelius De Wit was banished; which was intended rather as a sending him out of the way, than as a sentence against him. I love not to describe scenes of horror, as was that black and infamous one committed on the two brothers. I can add little to what has been so often printed. De Wit's going in his own coach to carry his brother out of town was a great error, and looked like a triumph over a sentence, which was unbecoming the character of a judge. Some furious agitators, who pretended zeal for the prince, gathered the rabble together. And by that vile action* that followed they did him (the prince) more hurt than they were ever able to repair. His enemies have taken advantages from thence to cast the infamy of this on him and on his party, to make them all odious; though the prince spoke of it always to me with the greatest horror possible. The ministers in Holland did upon this occasion show a very particular violence. In their sermons, and in some printed treatises, they charged the judges with corruption, who had carried the sentence no farther than to banishment: and compared the fate of the De Wits to Haman's.

I need not relate the great change of the magistracy in all the provinces, the repealing the perpetual edict, and the advancing the prince of Orange to be stadtholder, after they had voided the obligation of the oath he had taken, about which he took some time to deliberate. Both lawyers and divines agreed that those to whom he had made that oath releasing the obligation of it, he was no longer bound by it. The States gave him, for that time, the full power of peace and war. All this was carried farther by the town of Amsterdam; for they sent a deputation to him, offering him the sovereignty of their town. When he was pleased to tell me this passage, he said, he knew the reason for which they made it was, because they thought all was lost: and they chose to have the infamy of their loss fall on him rather than on themselves. He added, that he was sure the country could not bear a sovereign; and that they would contribute more to the war, when it was in order to the preserving their own liberty, than for any prince whatsoever. So he told them that, without taking any time to consult on the answer to be made to so great an offer, he did immediately refuse it. He was fully satisfied with the power already lodged with him, and would never endeavour to carry it any farther.

* Both the De Wits were assassinated. Sir William Temple describes the circumstances that led to this murder in words similar to those employed by Burnet, adding, "Monsieur De Wit, foreseeing how the tragedy would end, took his brother by the hand, and was at the same time knocked down with the butt-end of a musket. They were both presently laid dead upon the place, then dragged about the town by the people in their fury, and torn in pieces. Thus ended one of the greatest lives of any subject in our age, about the 47th of his own; after having served, or rather administered, that state as pensioner of Holland for about eighteen years, with great honour to his country and himself." In another place, the same faithful writer speaks of him as "a minister of the greatest authority and sufficiency, the greatest application and industry, that was ever known in the Dutch state."—Temple's Works, i. 107—380. fol. ed Without one extravagant habit, he died without having amassed any wealth: this demonstrates his disinterested integrity—and his "Maxims of Government" are a record of his honour, moderation, and justice, as a statesman.

The prince's advancement gave a new life to the whole country. He, though then very young, and little acquainted with the affairs of state or war, did apply himself so to both, that, notwithstanding the desperate state in which he found matters, he neither lost heart nor committed errors. The duke of Buckingham and the lord Arlington tried to bring the king of France (Louis the Fourteenth) to offer them better terms, but in vain. That prince was so lifted up that he seemed to consider the king very little. While he was so high on the one hand, and the prince of Orange so steady on the other, the English ambassadors soon saw that all the offices they could do were ineffectual. One day the prince (who told me this himself) was arguing with them upon the king's conduct, as the most unaccountable thing possible, who was contributing so much to the exaltation of France, which must prove in conclusion fatal to himself; and was urging this in several particulars. The duke of Buckingham broke out in an oath, which was his usual style, and said he was in the right: and so offered to sign a peace immediately with the prince. Lord Arlington seemed amazed at his rashness. Yet he persisted in it, and said positively he would do it. The prince, upon that, not knowing what secret powers he might have, ordered the articles to be engrossed. And he believed, if he could possibly have got them ready while he was with him, that he would have signed them. They were ready by next morning; but by that time he had changed his mind. That duke at parting pressed him much to put himself wholly in the king's hands: and assured him he would take care of his affairs as of his own. The prince cut him short: he said his country had trusted him, and he would never deceive nor betray them for any base ends of his own. The duke answered, he was not to think any more of his country, for it was lost; if it should weather out the summer, by reason of the waters that had drowned a great part of it, the winter's frost would lay them open: and he repeated the words often, "Do not you see it is lost?" The prince's answer deserves to remembered: he said, he saw it was indeed in great danger, but there was a sure way never to see it lost, and that was to die in the last ditch*.

The person that the prince relied on chiefly, as to the affairs of Holland, was Fagel, a man very learned in the law, who had a quick apprehension and a clear and ready judgment. He had a copious eloquence, more popular than correct; and was fit to carry matters with a torrent in a numerous assembly. De Wit had made great use of him; for he joined with him very zealously in the carrying the perpetual edict, which he negotiated with the States of Freizland, who opposed it most; and he was made Greffier, or secretary to the States-general, which is the most beneficial place in Holland. He was a pious and virtuous man; only he was too eager and violent. He was too apt to flatter himself. He had much heart when matters went well; but had not the courage that became a great minister on uneasy and difficult occasions.

* "The bait, which the French thought could not fail of being swallowed by the prince, and about which the utmost artifice was employed, was the proposal of making him sovereign of the provinces, under the protection of England and France. And to say truth, at a time when so little of the provinces was left, and what remained was under water, and in so imminent danger upon the first frosts of winter, this seemed a lure to which a meaner soul than that of this prince might very well stoop. But his was above it, and his answers always firm, that he never would betray a trust that was given him, nor ever sell the liberties of his country that his ancestors had so long defended. Yet the game he played was then thought so desperate, that one of his nearest servants told me he had long expostulated it with his master, and asked him at last, "How he intended to live after Holland was lost?" The prince replied, that he was resolved to live upon the lands he had left in Germany; and that he had rather pass his life in hunting there, than sell his country or his liberty to France at any price. I will say nothing of the embassy sent at this time by his majesty to the French king at Utrecht, where the three ambassadors, the duke of Buckingham, lord Arlington, and lord Halifax, found him in his highest exaltation; for I cannot pretend to know what the true ends or subject of it was. The common belief in England and Holland made it to be our jealousy of the French conquests going too fast, whilst ours were so lame; and great hopes were raised in Holland that it was to stop their course or extent; but these were soon dashed by the return of the ambassadors, after having renewed and fastened the measures formerly taken between the two crowns. And the ambassadors were indeed content, as they passed through Holland, that the first should be thought; which gave occasion for a very good repartee of the princess dowager to the duke of Buckingham, who visited her as they passed through the Hague. He talking much of their being good Hollanders, she told him "that was more than they asked, which was only that they would be good Englishmen." He assured her they were not only so, but good Dutchmen too; that indeed they did not use Holland like a mistress, but they loved her like a wife. To which she replied, "Vraiment, je croy que vous nous aimez comme vous aimez la votre." (Truly, I believe you love us as you love your own wife.) —Temple's Works, i. 382. fol. ed. These "Memoirs" of this truly honourable character are replete with information relative to the affairs of Holland about that period.

Prince Waldeck was their chief general, a man of a great compass and a true judgment: equally able in the cabinet and in the camp. But he was always unsuccessful, because he was never furnished according to the schemes that he had laid down. The opinion that armies had of him, as an unfortunate general, made him really so; for soldiers cannot have much heart, when they have not an entire confidence in him that has the chief command.

Dycvelt on his return from England, seeing the ruin of the De Wits, with whom he was formerly united, and the progress the French had made in Utrecht, where his estate and interest lay, despaired too soon, and went and lived under them. Yet he did great service to his province. Upon every violation of articles he went and demanded justice, and made protestations with a boldness, to which the French were so little accustomed that they were amazed at it. Upon the French leaving Utrecht, and on the re-establishing that province, he was left out of the government. Yet his great abilities, and the insinuating smoothness of his temper, procured him so many friends, that the prince was prevailed on to receive him into his confidence; and he had a great share of it to the last, as he well deserved. He had a very perfect knowledge of all the affairs of Europe, and great practice in many embassies. He spoke too long, and with too much vehemence. He was in his private deportment a virtuous and religious man, and a zealous protestant. In the administration of his province, which was chiefly trusted to him, there were great complaints of partiality, and of a defective justice.

Halewyn, a man of great interest in the town of Dort, and one of the judges in the court of Holland, was the person of them all whom I knew best, and valued most, and was the next to Fagel in the prince's confidence. He had a great compass of learning, besides his own profession, in which he was very eminent. He had studied divinity with great exactness, and was well read in all history, but most particularly in the Greek and Roman authors. He was a man of great vivacity: he apprehended things soon, and judged very correctly. He spoke short, but with life. He had a courage and vigour in his counsels that became one who had formed himself upon the best models in the ancient authors. He was a man of severe morals. And as he had great credit in the court where he sat, so he took care that the partialities of friendship should not mix in the administration of justice. He had in him all the best notions of a great patriot, and a true Christian philosopher. He was brought in very early to the secret of affairs, and went into the business of the perpetual edict very zealously. Yet he quickly saw the error of bringing matters of state immediately into numerous assemblies. He considered the States maintaining in themselves the sovereign power as the basis upon which the liberty of their country was built. But he thought the administration of the government must be lodged in a council. He thought it a great misfortune that the prince was so young at his first exaltation; and so possessed with military matters, to which the extremity of their affairs required that he should be entirely applied, that he did not then correct that error, which could only be done upon so extraordinary a conjuncture. He saw the great error of De Wit's ministry, of keeping the secret of affairs so much in his own hands. Such a precedent was very dangerous to public liberty, when it was in the power of one man to give up his country. Their people could not bear the lodging so great a trust with one, who had no distinction of birth or rank. Yet he saw it was necessary to have such an authority, as De Wit's merits and success had procured him, lodged somewhere. The factions and animosities, that were in almost all their towns, made it as necessary for their good government at home, as it was for the command of their armies abroad, to have this power trusted to a person of that eminence of birth and rank, that he might be above the envy that is always among equals, when any one of them is raised to a disproportioned degree of greatness above the rest. He observed some errors that were in the prince's conduct. But after all, he said, it was visible that he was always in the true interest of his country; so that the keeping up a faction against him was likely to prove fatal to all Europe, as well as to themselves.

The greatest misfortune in the prince's affairs was, that the wisest and the most considerable men in their towns, that had been acquainted with the conduct of affairs formerly, were now under a cloud, and were either turned out of the magistracy, or thought it convenient to retire from business. And many hot, but poor, men, who had signalised their zeal

in the turn newly made, came to be called the prince's friends, and to be put everywhere into the magistracy. They quickly lost all credit, having little discretion and no authority. They were very partial in the government, and oppressive, chiefly of those of the other side. The prince saw this sooner than he could find a remedy for it. But by degrees the men of the other side came into his interest, and promised to serve him faithfully, in order to the driving out the French and the saving their country. The chief of those were Halewyn of Dort, Pats of Rotterdam, and Van Beuning of Amsterdam.

The last of these was so well known both in France and England, and had so great credit in his own town, that he deserves to be more particularly set out. He was a man of great notions. He had a wonderful vivacity, but too much levity in his thoughts. His temper was inconstant: firm and positive for a while, but apt to change, from a giddiness of mind rather than from any falsehood in his nature. He broke twice with the prince after he came into a confidence with him. He employed me to reconcile him to him for the third time; but the prince said he could not trust him any more. He had great knowledge in all sciences, and had such a copiousness of invention, with such a pleasantness, as well as a variety of conversation, that I have often compared him to the duke of Buckingham; only he was virtuous and devout, much in the enthusiastical way. In the end of his days he set himself wholly to mind the East India trade. But that was an employment not so well suited to his natural genius. And it ended fatally; for the actions sinking on the sudden on the breaking out of a new war, that sunk him into a melancholy, which quite distracted him. The town of Amsterdam was for many years conducted by him as by a dictator. And that had exposed them to as many errors as the irregularity of his notions suggested. The breaking the West India company, and the loss of Munster in the year 1658, was owing to that. It was then demonstrated, that the loss of that town laid the States open on that side; and that Munster, being in their hands, would not only cover them, but be a fit place for making levies in Westphalia. Yet Amsterdam would not consent to that new charge; and fancied there was no danger on that side. But they found afterwards, to their cost, that their unreasonable managery in that particular drew upon them an expense of many millions, by reason of the unquiet temper of that martial bishop, who had almost ruined them this year on the side of Freizland. But his miscarriage in the siege of Groninghen, and the taking Coevorden by surprise in the end of the year, as it was among the first things that raised the spirits of the Dutch, so both the bishop's strength and reputation sunk so entirely upon it, that he never gave them any great trouble after that.

Another error, into which the frugality of Amsterdam drew the States, was occasioned by the offer that D'Estrades, the French ambassador, made them in the year 1663, of a division of the Spanish Netherlands, by which Ostend and a line from thence to Maestricht, within which Bruges, Ghent, and Antwerp, were to be comprehended, was offered to them; the French desiring only St. Omer, Valenciennes, Cambray, and Luxemburgh: and the dominions that lay between those lines were to be a free commonwealth; as Halewyn assured me, who said he was in the secret at that time. This was much debated all Holland over. It was visible that this new commonwealth, taken out of the hands of the Spaniards, must naturally have fallen into a dependence on the States, and have become more considerable, when put under a better conduct. Yet this would have put the States at that time to some considerable charge. And, to avoid that, the proposition was rejected, chiefly by the opposition that Amsterdam made to it: where the prevailing maxim was, to reduce their expense, to abate taxes, and to pay their public debts. By such an unreasonable parsimony matters were now brought to that state, that they were engaged into a war of so vast an expense, that the yearly produce of their whole estates did not answer all the taxes that they were forced to lay on their people.

After the prince saw that the French demands were at this time so high, and that it was not possible to draw England into a separate treaty, he got the States to call an extraordinary assembly, the most numerous that has been in this age. To them the prince spoke nearly three hours, to the amazement of all that heard him, which was owned to me by one of the deputies of Amsterdam. He had got great materials put in his hands, of which he made very good use. He first went through the French propositions, and showed the consequence

and the effects that would follow on them; that the accepting them would be certain ruin, and the very treating about them would distract and dispirit their people; he therefore concluded, that the entertaining a thought of these was the giving up their country. If any could hearken to such a motion, the lovers of religion and liberty must go to the Indies, or to any other country where they might be free and safe. After he had gone through this, nearly an hour, he in the next place showed the possibility of making a stand, notwithstanding the desperate state to which their affairs seemed reduced. He showed the force of all their allies; that England could not hold out long without a parliament; and they were well assured that a parliament would draw the king to other measures. He showed the impossibility of the French holding out long, and that the Germans coming down to the Lower Rhine must make them go out of their country as fast as they came into it. In all this he showed that he had a great insight into the French affairs. He came last to show, how it was possible to raise the taxes that must be laid on the country, to answer such a vast and unavoidable expense; and set before them a great variety of projects for raising money. He concluded, that if they laid down this for a foundation, that religion and liberty could not be purchased at too dear a rate, and that therefore every man among them, and every minister in the country, ought to infuse into all the people, that they must submit to the present extremity, and to very extraordinary taxes; by this means, as their people would again take heart, so their enemies would loose theirs, who built their chief hopes on that universal dejection among them that was but too visible to all the world. Every one that was present seemed amazed to hear so young a man speak to so many things, with so much knowledge and so true a judgment. It raised his character wonderfully, and contributed not a little to put new life into a country, almost dead with fear, and dispirited with so many losses. They all resolved to maintain their liberty to the last; and, if things should run to extremities, to carry what wealth they could with them to the East Indies. The state of the shipping capable of so long a voyage was examined: and it was reckoned that they could transport above two hundred thousand people thither.

Yet all their courage would probably have stood them in little stead. if the king of France could have been prevailed on to stay longer at Utrecht. But he made haste to go back to Paris. Some said it was the effect of his amours, and that it was hastened by some quarrels among his mistresses. Others thought he was hastening to receive the flatteries that were preparing for him there. And indeed in the outward appearances of things there was great occasion for them, since he had a run of success beyond all expectation: though he himself had no share in it, unless it was to spoil it. He left a garrison in every place he took, against Turenne's advice, who was for dismantling them all, and keeping his army still about him. But his ministers saw so far into his temper, that they resolved to play a sure game, and to put nothing to hazard. Upon the elector of Brandenburg's coming down, Monsieur Turenne was sent against him; by which means the army about the king was so diminished, that he could undertake no great design, besides the siege of Nimeguen, that held out some weeks, with so small a force. And though the prince of Orange had not above eight thousand men about him, employed in keeping a pass near Woerden, yet no attempt was made to force him from it. Another probable reason of his returning back so soon was, a suggestion of the desperate temper of the Dutch, and that they were capable of undertaking any design, how black soever, rather than perish. Some told him of vaults under the streets of Utrecht, where gunpowder might be laid to blow him up as he went over them; and all these were observed to be avoided by him. He would never lodge within the town, and came but seldom to it. He upon one or other of these motives went back. Upon which the prince of Conde said, he saw he had not the soul of a conqueror in him; and that his ministers were the best *Commis*, but the poorest ministers in the world, who had not souls made for great things, or capable of them.

If the king had a mind to be flattered by his people, he found at his return enough even to surfeit him. Speeches, verses, inscriptions, triumphal arches, and medals, were prepared with a profusion, and excess of flattery, beyond what had been offered to the worst of the Roman emperors, bating the ceremony of adoration. But blasphemous impieties were not wanting to raise and feed his vanity. A solemn debate was held all about Paris, what title should

be given him. *Le Grand* was thought too common. Some were for *Invincible*. Others were for *Le Conquerant*. Some, in imitation of Charlemagne, for Lewis *Le Magne*. Others were for *Maximus*. But *Très Grand* sounded not so well; no more did *Maxime*. So they settled on *Le Grand*. And all the bodies of Paris seemed to vie in flattery. It appeared that the king took pleasure in it; so there has followed upon it the greatest run of the most fulsome flattery that is in history. Had the king of France left such a man as Turenne at Utrecht, it might have had ill effects on the resolutions taken by the Dutch. But he left Luxemburgh there, who had no regard to articles; but made all people see what was to be expected, when they should come under such a yoke, that was then so intolerable a burden, even while it ought to have been recommended to those, who were yet free, by a gentle administration. This contributed not a little to fix the Dutch in those obstinate resolutions they had taken up.

There was one very extraordinary thing that happened near the Hague this summer. I had it from many eye-witnesses: and no doubt was made of the truth of it by any at the Hague. Soon after the English fleet had refitted themselves, (for they had generally been much damaged by the engagement in Solbay,) they appeared in sight of Scheveling, making up to the shore. The tide turned; but they reckoned that with the next flood they would certainly land the forces that were aboard, where they were like to meet with no resistance. So they sent to the prince for some regiments to hinder the descent. He could not spare many men, having the French very near him. So between the two the country was given up for lost, unless De Ruyter should quickly come up. The flood returned, which they thought was to end in their ruin. But to all their amazement, after it had flowed two or three hours, an ebb of many hours succeeded, which carried the fleet again to the sea. And, before that was spent, De Ruyter came in view. This they reckoned a miracle wrought for their preservation. Soon after that they escaped another design, that otherwise would very probably have been fatal to them.

The earl of Ossory, eldest son to the duke of Ormond, a man of great honour, generosity, and courage, had been often in Holland; and, coming by Helvoetsluys, he observed, it was a place of great consequence, but very ill looked to. The Dutch trusting to the danger of entering into it, more than to any strength that defended it, he thought it might be easy to seize and fortify that place. The king approved this. So some ships were sheathed, and victualled, as for a voyage to a great distance. He was to have five men of war, and transport ships for twelve or fifteen hundred men; and a second squadron, with a farther supply, if he succeeded in the attempt, was to follow. He had got two or three of their pilots brought out on a pretended errand; and these he kept very safe to carry him in. This was communicated to none, but to the duke, and to lord Arlington; and all was ready for the execution. Lord Ossory went to this fleet, and saw everything ready as was ordered, and came up to receive the king's sailing orders; but the king, who had ordered him to come next morning for his despatch, discovered the design to the duke of Buckingham, who hated both the duke of Ormond and lord Ossory, and would have seen the king and all his affairs perish, rather than that a person whom he hated should have the honour of such a piece of merit. He upon that did turn all his wit to make the thing appear ridiculous and impracticable. He represented it as unsafe on many accounts; and as a desperate stroke, that put things, if it should succeed, out of a possibility of treaty or reconciliation. The king could not withstand this. Lord Ossory found next morning that the king had changed his mind: and it broke out, by the duke of Buckingham's loose way of talking, that it was done by his means; so the design was laid aside: but when the peace was made, lord Ossory told it to the Dutch ambassadors; and said, since he did not destroy them by touching them in that weak and sore part, he had no mind they should lie any longer open to such another attack. When the ambassadors wrote this over to their masters, all were sensible how easy it had been to have seized and secured that place, and what a terrible disorder it would have put them in; and upon this they gave order to put the place in a better posture of defence for the future. So powerfully did spite work on those about the king, and so easy was he to the man of wit and humour. The duke stayed long at sea, in hopes to have got the East India fleet; but they came sailing so near the German coast, that they passed him before

he was aware of it; so he came back after a long and inglorious campaign. He lost the honour of the action that was at Solbay, and missed the wealth of that fleet, which he had long waited for.

I will complete the transactions of this memorable year with an account of the impression that Luxemburgh made on the Dutch near the end of it, which would have had a very tragical conclusion, if a happy turn of weather had not saved them. Stoupe was then with him, and was in the secret. By many feints, that amused the Dutch so skilfully, that there was no suspicion of the true design, all was prepared for an invasion, when a frost should come. It came at last; and it froze and thawed by turns for some time, which they reckon makes the ice the firmest. At last a frost continued so strong for some days, that upon piercing and examining the ice, it was thought it could not be dissolved by any ordinary thaw, in less than two days. So, about midnight, Luxemburgh marched out of Utrecht towards Leyden, with about sixteen thousand men. Those of Utrecht told me, that, in the minute in which they began to march, a thaw wind blew very fresh. Yet they marched on till daylight, and came to Summerdam and Bodegrave, which they gained not without difficulty. There they stopped, and committed many outrages of crying lust and barbarous cruelty, and vented their impiety in very blasphemous expressions, upon the continuance of the thaw, which now had quite melted the ice, so that it was not possible to go back the way that they came, where all had been ice, but was now dissolved to about three feet depth of water. There were cause-ways, and they were forced to march on these; but there was a fort, through which they must pass: and one Painevine, with two regiments, was ordered to keep it, with some cannon in it. If he had continued there, they must all have been taken prisoners, which would have put an end to the war; but, when he saw them march to him in the morning, he gave all for lost, and went to Tergow, where he gave the alarm, as if all was gone; and he offered to them to come to help them by that garrison to a better capitulation: so he left his post, and went thither. The French army, not being stopped by that fort, got safe home; but their behaviour in those two villages was such, that, as great pains were taken to spread it over the whole country, so it contributed not a little to the establishing the Dutch in their resolutions, of not only venturing but of losing all, rather than come under so cruel a yoke.

Painevine's withdrawing had lost them an advantage never to be regained: so the prince ordered a council of war to try him. He pleaded, that the place was not tenable; that the enemy had passed it; so he thought the use it was intended for was lost: and if the enemy had come to attack him, he must have surrendered upon discretion: and he pleaded farther, that he went from it upon the desire of one of their towns to save it. Upon this defence he was acquitted as to his life, but condemned to infamy, as a coward, and to have his sword broken over his head, and to be for ever banished the States dominions. But an appeal lay, according to their discipline, to a council of war, composed of general officers; and they confirmed the sentence. The towns of Holland were highly offended at these proceedings. They said, they saw the officers were resolved to be gentle to one another, and to save their fellow-officers, how guilty soever they might be. The prince yielded to their instances, and brought him to a third trial before himself, and a court of the supreme officers, in which they had the assistance of six judges. Painevine stood on it, that he had undergone two trials, which was all that the martial law subjected him to; and in those he was acquitted. Yet this was overruled. It was urged against him, that he himself was present in the council of war that ordered the making that fort; and he knew that it was not intended to be a place tenable against an army, but was only meant to make a little stand for some time, and was intended for a desperate state of affairs; and that therefore he ought not to have left his post, because of the danger he was in: he saw the thaw began; and so ought to have stayed, at least till he had seen how far that would go; and being put there by the prince, he was to receive orders from none but him. Upon these grounds he was condemned, and executed, to the great satisfaction of the States, but to the general disgust of all the officers, who thought they were safe in the hands of an ordinary council of war, and did not like this new method of proceeding.

They were also not a little troubled at the strict discipline that the prince settled, and at

the severe execution of it: but by this means he wrought up his army to a pitch of obedience and courage, of sobriety and good order, that things put on another face; and all men began to hope that their armies would act with another spirit, now that the discipline was so carefully looked to. It seems the French made no great account of them, for they released twenty-five thousand prisoners, taken in several places, for fifty thousand crowns.

Thus I have gone far into the state of affairs of Holland in this memorable year. I had most of these particulars from Dycvelt and Halewyn; and I thought this great turn deserved to be set out with all the copiousness with which my informations could furnish me. This year the king declared a new mistress, and made her duchess of Portsmouth. She had been maid of honour to Madame, the king's sister, and had come over with her to Dover, where the king had expressed such a regard to her, that the duke of Buckingham, who hated the duchess of Cleveland, intended to put her on the king. He told him, that it was a decent piece of tenderness for his sister to take care of some of her servants: so she was the person the king easily consented to invite over. That duke assured the king of France that he could never reckon himself sure of the king, but by giving him a mistress that should be true to his interests. It was soon agreed to. So the duke of Buckingham sent her with a part of his equipage to Dieppe; and said, he would presently follow. But he, who was the most inconstant and forgetful of all men, never thought of her more, but went to England by the way of Calais. So Montague, then ambassador at Paris, hearing of this, sent over for a yacht for her, and sent some of his servants to wait on her, and to defray her charge, till she was brought to Whitehall; and then lord Arlington took care of her. So the duke of Buckingham lost the merit he might have pretended to, and brought over a mistress, whom his own strange conduct threw into the hands of his enemies. The king was presently taken with her. She studied to please and observe him in every thing; so that he passed away the rest of his life in a great fondness for her. He kept her at a vast charge; and she, by many fits of sickness, some believed real, and others thought only pretended, gained of him every thing she desired. She stuck firm to the French interest, and was its chief support. The king divided himself between her and Mistress Gwyn, and had no other avowed amour; but he was so entirely possessed by the duchess of Portsmouth, and so engaged by her in the French interest, that this threw him into great difficulties, and exposed him to much contempt and distrust.

I now return to the affairs of Scotland, to give an account of a session of parliament, and the other transactions there in this critical year. About the end of May, duke Lauderdale came down with his lady in great pomp: he was much lifted up with the French success, and took such pleasure in talking of De Wit's fate, that it could not be heard without horror. He treated all people with such scorn, that few were able to bear it. He adjourned the parliament for a fortnight, that he might carry his lady round the country; and was everywhere waited on, and entertained with as much respect, and at as great a charge, as if the king had been there in person. This enraged the nobility; and they made great applications to duke Hamilton, to lead a party against him, and to oppose the tax that he demanded, of a whole year's assessment. I soon grew so weary of the court, though there was scarcely a person so well used by him as I myself was, that I went out of town; but duke Hamilton sent for me, and told me, how vehemently he was solicited by the majority of the nobility to oppose the demand of the tax. He had promised me not to oppose taxes in general; and I had assured duke Lauderdale of it. But he said, this demand was so extravagant, that he did not imagine it would go so far; so he did not think himself bound, by a promise made in general words, to agree to such a high one. Upon this I spoke to duke Lauderdale, to show him the inclinations many had to an opposition to that demand, and the danger of it. He rejected it in a brutal manner, saying, they durst as soon be damned as oppose him. Yet I made him so sensible of it, that he appointed the marquis of Athol to go and talk in his name to duke Hamilton, who moved that I might be present; and that was easily admitted. Lord Athol pressed duke Hamilton to come into an entire confidence with duke Lauderdale; and promised, that he should have the chief direction of all affairs in Scotland under the other. Duke Hamilton asked, how stood the parliament of England affected to the war. Lord Athol assured him, there was a settled design of having no more parliaments

in England. The king would be master, and would be no longer curbed by a house of commons. He also laid out the great advantages that Scotland, more particularly the great nobility, might find by striking in heartily with the king's designs, and of making him absolute in England. Duke Hamilton answered very honestly, that he would never engage in such designs; he would be always a good and faithful subject, but he would be likewise a good countryman. He was very unwilling to concur in the land-tax. He said, Scotland had no reason to engage in the war, since as they might suffer much by it, so they could gain nothing, neither by the present war, nor by any peace that should be made. Yet he was prevailed on, in conclusion, to agree to it. And upon that the business of the session of parliament went on smoothly without any opposition.

The duchess of Lauderdale, not contented with the great appointments they had, set herself by all possible methods to raise money. They lived at a vast expense, and every thing was set to sale. She carried all things with a haughtiness that could not have been easily borne from a queen. She talked of all people with an ungoverned freedom, and grew to be universally hated. I was out of measure weary of my attendance at their court, but was pressed to continue it. Many found I did good offices. I got some to be considered, and advanced, that had no other way of access: but that which made it more necessary was, that I saw Sharp and his creatures were making their court with the most abject flattery, and all the submissions possible. Leighton went seldom to them, though he was always treated by them with great distinction. So it was necessary for me to be about them, and keep them right, otherwise all our designs were lost without recovery. This led me to much uneasy compliance; though I asserted my own liberty, and found so often fault with their proceedings, that once or twice I used such freedom, and it was so ill taken, that I thought it was fit for me to retire: yet I was sent for, and continued in such high favour, that I was again tried if I would accept of a bishopric, and was promised the first of the two archbishoprics that should fall. But I was still fixed in my former resolutions, not to engage early, being then but nine-and-twenty, nor could I come into a dependence on them.

Duke Lauderdale at his coming down had expected, that the presbyterians should have addressed themselves to him for a share in that liberty, which their brethren had now in England, and which he had asserted in a very particular manner at the council table in Whitehall. One Whatley, a justice of peace in Lincolnshire, if I remember the county right, had disturbed one of the meeting-houses that had got a licence pursuant to the declaration for a toleration; and he had set fines on those that met in it, conformably to the act against conventicles. Upon which he was brought up to council, to be reprimanded for his high contempt of his majesty's declaration. Some privy councillors shewed their zeal in severe reflections on his proceedings. Duke Lauderdale carried the matter very far. He said, the king's edicts were to be considered, and obeyed as laws, and more than any other laws. This was written down by some that heard it, who were resolved to make use of it against him in due time. He looked on near two months after he came down from Scotland, waiting still for an application for liberty of conscience; but the designs of the court were now clearly seen into. The presbyterians understood they were only to be made use of in order to the introducing of popery; so they resolved to be silent and passive. Upon this he broke out into fury and rage against them. Conventicles abounded in all places of the country: and some furious zealots broke into the houses of some of the ministers, wounding them and robbing their goods, forcing some of them to swear, that they would never officiate any more in their churches. Some of these were taken, and executed. I visited them in prison, and saw in them the blind madness of ill-grounded zeal, of which they were never fully convinced. One of them seemed to be otherwise no ill man. Another of them was a bold villain. He justified all that they had done, from the Israelites robbing the Egyptians, and destroying the Canaanites.

That which gave duke Lauderdale a juster ground of offence was, that one Carstairs, much employed since that time in greater matters, was taken in a ship that came from Rotterdam. He himself escaped out of their hands, but his letters were taken. They had a great deal written in white ink; which shewed that the design of sending him over was, to know in what disposition the people were, promising arms and other necessaries, if they

were in a condition to give the government any disturbance. But the whole was so darkly expressed, much being referred to the bearer, that it was not possible to understand what lay hid under so many mysterious expressions. Upon this a severe prosecution of conventicles was set on foot, and a great deal of money was raised by arbitrary fines. Lord Athol made of this in one week 1,900*l.* sterling. I did all I could to moderate this fury, but all was in vain. Duke Lauderdale broke out into the most frantic fits of rage possible. When I was once saying to him, was that a time to drive them into a rebellion? Yes, said he, would to God they would rebel, that so he might bring over an army of Irish papists to cut all their throats. Such a fury as this seemed to furnish work for a physician, rather than for any other sort of men; but after he had let himself loose into these fits for near a month, he calmed all on the sudden: perhaps upon some signification from the king; for the party complained to their friends in London, who had still some credit at court.

He called for me all on the sudden, and put me in mind of the project I had laid before him, of putting all the ousted ministers by couples into parishes; so that instead of wandering about the country, to hold conventicles in all places, they might be fixed to a certain abode, and every one might have the half of a benefice. I was still of the same mind; and so was Leighton, who compared this to the gathering the coals that were scattered over the house, setting it all on fire, into the chimney, where they might burn away safely. Duke Lauderdale set about it immediately, and the benefit of the indulgence was extended to forty more churches. This, if followed as to that of doubling them in a parish, and of confining them within their parishes, would have probably laid a flame that was spreading over the nation, and was likely to prove fatal in conclusion. But duke Lauderdale's way was, to govern by fits, and to pass from hot to cold ones, always in extremes. So this of doubling them, which was the chief part of our scheme, was quite neglected. Single ministers went into those churches; and those who were not yet provided for, went about the country holding conventicles very boldly without any restraint, and no care at all was taken of the church.

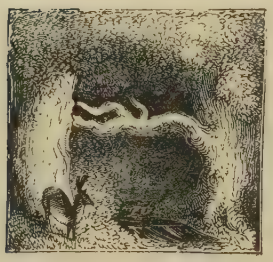
Sharp and his instruments took occasion from this to complain, that the church was ruined by Leighton's means; and I wanted not my share in the charge; and indeed the remissness of the government was such, that there was just cause of complaint. Great numbers met in the fields; men went to those meetings with such arms as they had: and we were blamed for all this. It was said, that things went so far beyond what a principle of moderation could suggest, that we did certainly design to ruin and overturn the constitution. Leighton upon all this concluded he could do no good on either side; he had gained no ground on the presbyterians, and was suspected and hated by the episcopal party; so he resolved to retire from all public employments, and to spend the rest of his days in a corner, far from noise and business, and to give himself wholly to prayer and meditation, since he saw he could not carry on his great designs of healing and reforming the church, on which he had set his heart. He had gathered together many instances out of church history of bishops that had left their sees, and retired from the world, and was much pleased with these. He and I had many discourses on this argument. I thought a man ought to be determined by the providence of God, and to continue in the station he was in, though he could not do all the good in it that he had proposed to himself: he might do good in a private way by his example, and by his labours, more than he himself could know; and as a man ought to submit to sickness, poverty, or other afflictions, when they are laid on him by the hand of Providence; so I thought the labouring without success was indeed a very great trial of patience, yet such labouring in an ungrateful employment was a cross, and so was to be borne with submission; and that a great uneasiness under that, or the forsaking a station because of it, might be the effect of secret pride, and an indignation against Providence. He on the other hand said, his work seemed to be at an end: he had no more to do, unless he had a mind to please himself with the lazy enjoying a good revenue. So he could not be wrought on by all that could be laid before him, but followed duke Lauderdale to court, and begged leave to retire from his archbishopric. The duke would by no means consent to this; so he desired that he might be allowed to do it within a year. Duke Lauderdale thought so much time was gained; so, to be rid of his importunities, he moved the king to promise him, that, if he did

not change his mind, he would within the year accept of his resignation. He came back much pleased with what he had obtained, and said to me upon it, there was now but one uneasy stage between him and rest, and he would wrestle through it the best he could.

And now I am come to the period that I set out for this book. The world was now in a general combustion, set on by the ambition of the court of France, and supported by the feebleness and treachery of the court of England. A stand was made by the prince of Orange, and the elector of Brandenburgh; but the latter, not being in time assisted by the emperor, was forced to accept of such conditions as he could obtain. This winter there was great practice in all the courts of Europe, by the agents of France, to lay them every where asleep, and to make the world look on their king's design in that campaign as a piece of glory, for the humbling of a rich and proud commonwealth; and that, as soon as that was done suitably to the dignity of the great monarch, he would give peace to the world, after he had shewn that nothing could stand before his arms. But the opening the progress of these negotiations, and the turn that the affairs of Europe took, belongs to the next period.

BOOK III.

OF THE REST OF KING CHARLES THE SECOND'S REIGN, FROM THE YEAR 1673 TO THE YEAR 1685, IN WHICH HE DIED.



HITHERTO the reign of king Charles was pretty serene and calm at home. A nation, weary of a long civil war, was not easily brought into jealousies and fears, which are the seeds of distraction, and might end in new confusions and troubles. But the court had now given such broad intimations of an ill design, both on our religion and the civil constitution, that it was no more a jealousy: all was now open and barefaced. In the king's presence the court-flatterers were always magnifying absolute government, and reflecting on the insolence of a house of commons. The king said once to the earl of Essex, as he told me, that he did not wish to be like a grand seignior, with some mutes about him, and bags of bow-strings to strangle men, as he had a mind to it; but he did not think he was a king, as long as a company of fellows were looking into all his actions, and examining his ministers, as well as his accounts. He reckoned, now he had set the church party at such a distance from the dissenters, that it was impossible to make them join, in opposition to his designs. He hoped the church party would be always submissive, and he had the dissenters at mercy.

The proceedings of the former year had opened all men's eyes. The king's own religion was suspected, as his brother's was declared: and the whole conduct shewed a design to govern by the French model. A French general was brought over to command our armies. Count Schomberg, who was a German by birth, (but his mother was an English woman,) was sent over. He was a firm protestant, and served at first in Holland, but upon the prince of Orange's death he went into France, where he grew into so high a reputation, that he was kept under, and not raised to be a marshal, only on the account of his religion. He was a calm man, of great application and conduct: he thought much better than he spoke. He was a man of true judgment, of great probity, and of an humble and obliging temper: and at any other time of his life he would have been very acceptable to the English; but now he was looked on as one sent over from France, to bring our army under a French discipline; and so he was hated by the nation, and not much loved by the court *. He was always pressing the king to declare himself the head of the protestant party. He pressed him likewise to bring his brother over from popery; but the king said to him, "you know my brother long ago, that he is as stiff as a mule." He liked the way of Charenton so well, that he went once a week in London to the French church there, that was according to that form: so the duke and lord Clifford looked on him as a presbyterian, and an unfit man for their purpose. The duke of Buckingham hated him, for he hoped to have commanded the army; and as an army is a very unacceptable thing to the English nation, so it came to be the more odious when commanded by a general sent over from France. Schomberg told me, he saw it was impossible that the king could bring any great design to a good effect. He loved his ease so much, that he never minded business; and every thing that was said to him of affairs was heard with so little attention, that it made no impression.

* Frederick Schomberg, eventually made duke of Schomberg, marquis of Harwich, earl of Brentford, baron of Tays, knight of the garter, &c. by William the Third; a count of Germany and of Portugal, and a mareschal of France, was born in Germany during the year 1608. His father was count Schomberg, and his mother a daughter of lord Dudley. His career is noticed in future pages.—See Birch's Lives, &c.

The ministry was all broken to pieces. The duke of Buckingham was alone, hated by all, as he hated all the rest; but he went so entirely into all their designs, that the king considered him, and either loved, or feared him so much, that he had a deep root with him. Lord Clifford stuck firm to the duke, and was heated with the design of bringing in popery, even to enthusiasm. It was believed, if the design had succeeded, he had agreed with his wife to take orders, and to aspire to a cardinal's hat. He grew violent, and could scarcely speak with patience of the church of England, and of the clergy. The earl of Arlington thought that the design was now lost, and that it was necessary for the king to make up with his people in the best manner he could. The earl of Shaftesbury was resolved to save himself on any terms.

The money was exhausted, so it was necessary to have a session of parliament; and one was called in the beginning of the year. At the opening it, the king excused the issuing out the writs, as done to save time, and to have a full house at the first opening: but he left that matter wholly to them: he spoke of the declaration for liberty of conscience in another style: he said, he had seen the good effects of it, and that he would stick to it, and maintain it: he said, he was engaged in a war for the honour of the nation, and therefore he demanded the supplies that were necessary to carry it on. On these heads lord Shaftesbury enlarged; but no part of his speech was more amazing than that, speaking of the war with the Dutch, he said, *Delenda est Carthago*. Yet, while he made a base complying speech in favour of the court, and of the war, he was in a secret management with another party *.

The house of commons was upon this all in a flame. They saw popery and slavery lay at the bottom; yet, that they might not grasp at too much at once, they resolved effectually to break the whole design of popery. They argued the matter of the declaration, whether it was according to law or not. It was plainly an annulling of the penal laws, made both against papists and dissenters. It was said, that though the king had a power of pardoning, yet he had not a power to authorise men to break laws. This must infer a power to alter the whole government. The strength of every law was the penalty laid upon offenders; and, if the king could secure offenders by indemnifying them beforehand, it was a vain thing to make laws, since by that maxim they had no force, but at the king's discretion. Those who pleaded for the declaration pretended to put a difference between penal laws in spiritual matters, and all others; and said, that the king's supremacy seemed to give him a peculiar authority over these: by virtue of this it was, that the synagogue of the Jews, and the Walloon churches, had been so long tolerated. But to this it was answered, that the intent of the law in asserting the supremacy was only to exclude all foreign jurisdiction, and to lodge the whole authority with the king; but that was still to be bounded, and regulated by law: and a difference was to be made between a connivance, such as that the Jews lived under, by which they were still at mercy, and a legal authority: the parliament had never disputed the legality of the patent for the Walloon congregations, which was granted to encourage strangers, professing the same religion, to come among us, when they were persecuted for it in their own country: it was at first granted only to strangers; but afterwards, in the days of their children, who were natives, it had been made void: and now they were excepted by a special clause out of the Act of Uniformity. The house came quickly to a very unanimous resolution, that the declaration was against law †: and they set that forth, in an address to the king, in which they prayed that it might be called in. Some were studying to divert this, by setting them on to inquire into the issuing out the writs. And the court seemed willing that the storm should break on lord Shaftesbury, and would have gladly compounded the matter by making him the sacrifice. He saw into that, and so was resolved to change sides with the first opportunity.

The house was not content with this; but they brought in a bill, disabling all papists from holding any employment or place at court, requiring all persons in public trust to receive the sacrament in a parish church, and to carry an attested certificate of that, with

* The speeches of the king, and the earl of Shaftesbury, are in Chandler's Debates, i. 163.

† The conclusion was far from unanimous. After a long and able debate, it was resolved, "That penal statutes in matters ecclesiastical cannot be suspended but by act of parliament." The majority was 168; the minority, 116. —Gray's Debates, ii. 26.

witnesses to prove it, into Chancery, or the county sessions, and there to make a declaration renouncing transubstantiation in full and positive words. Great pains were taken by the court to divert this. They proposed that some regard might be had to protestant dissenters, and that their meetings might be allowed. By this means they hoped to have set them and the church party into new heats; for now all were united against popery. Love, who served for the city of London, and was himself a dissenter, saw what ill effects any such quarrels might have; so he moved, that an effectual security might be found against popery, and that nothing might interpose till that was done. When that was over, then they would try to deserve some favour; but at present they were willing to lie under the severity of the laws, rather than clog a more necessary work with their concerns. The chief friends of the sects agreed to this. So a vote passed to bring in a bill in favour of protestant dissenters, though there was not time enough, nor unanimity enough, to finish one this session: for it went no farther than a second reading, but was dropped in the committee. But this prudent behaviour of theirs did so soften the church party, that there were no more votes nor bills offered at against them, even in that angry parliament, that had been formerly so severe upon them.

The court was now in great perplexity. If they gave way to proceedings in the house of commons, there was a full stop put to the design for popery; and if they gave not way to it, there was an end of the war. The French could not furnish us with so much money as was necessary; and the shutting up the exchequer had put an end to all credit. The court tried what could be done in the house of lords. Lord Clifford resolved to assert the declaration with all the force, and all the arguments he could bring for it. He shewed the heads he intended to speak on to the king, who approved of them, and suggested some other hints to him. He began the debate with rough words: he called the house of commons *Monstrum horrendum ingens*, and ran on in a very high strain. He said all that could be said with great heat, and many indecent expressions. When he had done, the earl of Shaftesbury, to the amazement of the whole house, said, he must differ from the lord that spoke last *toto cælo*. He said, while those matters were debated out of doors, he might think with others, that the supremacy, asserted as it was by law, did warrant the declaration; but now that such a house of commons, so loyal and affectionate to the king were of another mind, he submitted his reasons to theirs: they were the king's great council; they must both advise and support him: they had done it, and would do it still, if their laws and their religion were once secure to them. The king was all in a fury to be thus forsaken by his chancellor, and told lord Clifford, how well he was pleased with his speech, and how highly he was offended with the other. The debate went on, and upon a division the court had the majority; but against that vote about thirty of the most considerable of the house protested: so the court saw they had gained nothing in carrying a vote that drew after it such a protestation *.

This matter took soon after that a quick turn. It had been much debated in the cabinet, what the king should do. Lord Clifford and duke Lauderdale were for the king's standing his ground. Sir Ellis Leighton assured me, that the duke of Buckingham and lord Berkeley offered to the king, if he would bring the army to town, that they would take out of both houses the members that made the opposition. He fancied the thing might have been easily brought about, and that, if the king would have acted with the spirit that he sometimes put on, they might have carried their business. Duke Lauderdale talked of bringing an army

* Whatever the king may have declared to the contrary, there is good reason to believe that he was inclining to recall the declaration. One contemporary historian tells us, that lord Shaftesbury perceived this, and conducted himself on the above occasion accordingly. On the day lord Clifford had undertaken to open the debate in the house of lords for establishing a perpetual fund, which would have the effect of rendering parliaments of little consequence, lord Shaftesbury appeared in the house at the head of those peers who were most zealous against the catholic religion, the war with Holland, and the alliance with France. Lord Clifford had prepared his speech, and read it in confidence to Shaftesbury, who promised to join prominently in the debate. He had now the opportunity, which he is said to have desired, of repaying Clifford after his own example, or "ploughing with his heifer," as he termed it, in the project of shutting up the exchequer. The king and the duke of York were in the house during the debate, and while Shaftesbury was speaking, the duke whispered to his brother, "What a rogue have you of a lord chancellor." To which the king replied, "What a fool have you of a lord treasurer."—Echard's and Ralph's Histories of England.

out of Scotland, and seizing on Newcastle; and pressed this with as much vehemence, as if he had been able to have executed it. Lord Clifford said to the king, his people did now see through all his designs, and therefore he must resolve to make himself master at once, or be for ever subject to much jealousy and contempt. The earls of Shaftesbury and Arlington pressed the king on the other hand to give the parliament full content: and they undertook to procure him money for carrying on the war; and, if he was successful in that, he might easily recover what he must in this extremity part with. This suited the king's own temper, yet the duke held him in suspense.

Colbert's brother, Croissy, was then the French ambassador here. Lord Arlington possessed him with such an apprehension of the madness of violent counsels, and that the least of the ill effects they might have would be the leaving the war wholly on the French king, and that it would be impossible to carry it on, if the king should run to such extremities, as some were driving him to at home; that he gained him both to press the king and his brother to comply with the parliament, and to send an express to his own master, representing the whole matter in the light in which lord Arlington had set it before him.

In the afternoon of the day in which the matter had been argued in the house of lords, the earls of Shaftesbury and Arlington got all those members of the house of commons on whom they had any influence, (and who had money from the king, and were his spies, but had leave to vote with the party against the court, for procuring them the more credit) to go privately to him, and to tell him that upon lord Clifford's speech the house was in such fury, that probably they would have gone to some high votes and impeachments; but the lord Shaftesbury speaking on the other side restrained them. They believed, he spoke the king's sense, as the other did the duke's: this calmed them. So they made the king apprehend that the lord chancellor's speech, with which he had been so much offended, was really a great service done him: and they persuaded him farther, that he might now save himself, and obtain an indemnity for his ministers, if he would part with the declaration, and pass the bill. This was so dexterously managed by lord Arlington, who got a great number of the members to go one after another to the king, who by concert spoke all the same language, that before night the king was quite changed, and said to his brother, that lord Clifford had undone himself, and had spoiled their business by his mad speech; and that, though lord Shaftesbury had spoken like a rogue, yet that had stopped a fury which the indiscretion of the other had kindled, to such a degree that he could serve him no longer. He gave him leave to let him know all this. The duke was struck with this, and imputed it wholly to lord Arlington's management. In the evening he told lord Clifford what the king had said. The lord Clifford, who was naturally a vehement man, went upon that to the king, who scarce knew how to look him in the face. Lord Clifford said, he knew how many enemies he must needs make to himself by his speech in the house of lords: but he hoped that in it he both served and pleased the king, and was therefore the less concerned in every thing else; but he was surprised to find, by the duke, that the king was now of another mind. The king was in some confusion: he owned that all he had said was right it itself; but he said, that he, who sat long in the house of commons, should have considered better what they could bear, and what the necessity of his affairs required. Lord Clifford in his first heat was inclined to have laid down his white staff, and to have expostulated roundly with the king; but a cooler thought stopped him. He reckoned he must now retire, and therefore he had a mind to take some care of his family in the way of doing it; so he restrained himself, and said, he was sorry that his best meant services were so ill understood *.

* This disgrace, after a short pre-eminence of six months, hastened lord Clifford's death, though there does not seem any just reason for a rumour of the day that he fell by his own hand. Prince, in his "Worthies of Devon," says he died of a calculous disease in September, 1673. Evelyn was his intimate, and in his "Diary" states many interesting particulars of his displaced friend. At their parting, which proved to be the last, he says, "Lord Clifford wrung me by the hand, and said, 'Good bye; I shall never see thee more: do not expect it. I will never see this place, this city, or court again.'" He retired to his native place, Ugbrook, in Devonshire. As a statesman we have seen he was a traitor to his country's liberties, and a sustainer of despotism; but in private life he appears to have been virtuous and amiable. Evelyn says he was "a valiant, uncorrupt gentleman; ambitious, not covetous; generous, passionate, and a most sincere, constant friend." Prince bears a similar testimony; he describes him as "a gentleman of a proper manly body, of a large and noble mind, of a sound head, and a stout heart."—Evelyn's Diary by Bray; Prince's Worthies of Devon; Biographia Britannica, &c.

Soon after this, letters came from the French king, pressing the king to do all that was necessary to procure money of his parliament, since he could not bear the charge of the war alone. He also wrote to the duke, and excused the advice he gave upon the necessity of affairs; but promised faithfully to espouse his concerns, as soon as he got out of the war, and that he would never be easy, till he recovered that which he was now forced to let go. Some parts of these transactions I had from the duke, and from duke Lauderdale; the rest that related to the lord Clifford, Titus told me he had from his own mouth.

As soon as lord Clifford saw he must lose the white staff, he went to the duke of Buckingham, who had contributed much to the procuring it to him, and told him he brought him the first notice that he was to lose that place to which he had helped him, and that he would assist him to procure it to some of his friends. After they had talked round all that were in any sort capable of it, and had found great objections to every one of them, they at last pitched on sir Thomas Osborn, a gentleman of Yorkshire, whose estate was much sunk. He was a very plausible speaker, but too copious, and could not easily make an end of his discourse. He had been always among the high cavaliers, and missing preferment he had opposed the court much, and was one of lord Clarendon's bitterest enemies. He gave himself great liberties in discourse, and did not seem to have any regard to truth, or so much as to the appearances of it: and was an implacable enemy; but he had a peculiar way to make his friends depend on him, and to believe he was true to them. He was a positive and undertaking man: so he gave the king great ease, by assuring him all things would go according to his mind in the next session of parliament. And when his hopes failed him, he had always some excuse ready to put the miscarriage upon. And by this means he got into the highest degree of confidence with the king, and maintained it the longest of all that ever served him *.

The king now went into new measures. He called for the declaration, and ordered the seal put to it to be broken. So the act for the taking the sacrament, and the test against transubstantiation went on; and together with it an act of grace passed, which was desired chiefly to cover the ministry, who were all very obnoxious by their late actings. The court desired at least 1,200,000*l.*; for that sum was necessary to the carrying on the war. The great body of those who opposed the court had resolved to give only 600,000*l.*, which was enough to procure a peace, but not to continue the war. Garroway and Lee had led the opposition to the court all this session in the house of commons; so they were thought the properest to name the sum. Above eighty of the chief of the party had met over night, and had agreed to name 600,000*l.*; but Garroway named 1,200,000*l.*, and was seconded in it by Lee. So this surprise gained that great sum, which enabled the court to carry on the war. When their party reproached these persons for it, they said they had tried some of the court as to the sum intended to be named, who had assured them the whole agreement would be broken, if they offered so small a sum; and this made them venture on the double of it. They had good rewards from the court; and yet they continued still voting on the other side. They said, they had got good pennyworths for their money: a sure law against popery, which had clauses in it never used before; for all that continued in office after the time lapsed, they not taking the sacrament, and not renouncing transubstantiation (which came to be called *the test*, and the act from it *the test act*), were rendered incapable of holding any office; all the acts they did, in it were declared invalid and illegal, besides a fine of 500*l.* to the discoverer. Yet upon that lord Cavendish, now duke of Devonshire, said, that when much money was given to buy a law against popery, the force of the money would be stronger in order to the bringing it in than the law could be for keeping it out. I never knew a thing of this nature carried so suddenly, and so artificially, in the house of commons, as this was; to the great amazement of the Dutch, who relied on the

* He is more generally known, and will be noticed in future pages, as the earl of Danby, marquis Carmarthen, and duke of Leeds. The earl of Dartmouth formed an estimate of this statesman's talents more favourable than Burnet's, saying of him, that he never knew any one that expressed himself so clearly, or that seemed to carry his point so much by the force of a superior understanding. In conversation, he had the art to extract the opinions of others without discovering his own; and he was thus enabled, much to his advantage, to undertake that such persons should support measures, because he had antecedently possessed himself of their judgments respecting them.—Oxford ed. of this work.

parliament, and did not doubt but that a peace with England would be procured by their interposition.

Thus this memorable session ended. It was indeed much the best session of that long parliament. The church party showed a noble zeal for their religion; and the dissenters got great reputation by their silent deportment. After the session was over, the duke carried all his commissions to the king, and wept as he delivered them up; but the king showed no concern at all. Yet he put the admiralty in a commission composed wholly of the duke's creatures: so that the power of the navy was still in his hands. Lord Clifford left the treasury, and was succeeded by Osborn, who was soon after made earl of Danby. The earl of Shaftesbury had lost the king's favour quite. But it was not thought fit to lay him aside, till it should appear what service he could do them in another session of parliament. Lord Arlington had lost the duke more than any other. He looked on him as a pitiful coward, who would forsake and betray anything, rather than run any danger himself. Prince Rupert was sent to command the fleet. But the captains were the duke's creatures; so they crossed him all they could, and complained of everything he did. In a word, they said he had neither sense nor conduct left. Little could be expected from a fleet so commanded, and so divided. He had two or three engagements with the Dutch, that were well fought on both sides, but were of no great consequence, and were drawn battles. None of the French ships engaged, except one, who charged their admiral for his ill-conduct; but, instead of reward, he was clapped in the Bastile, upon his return to France*. This opened the eyes and mouths of the whole nation. All men cried out and said, we were engaged in a war by the French, that they might have the pleasure to see the Dutch and us destroy one another, while they knew our seas and ports, and learned all our methods, but took care to preserve themselves. Count Schomberg told me he pressed the French ambassador to have the matter examined. Otherwise, if satisfaction was not given to the nation, he was sure the next parliament would break the alliance. But by the ambassador's coldness, he saw the French admiral had acted according to his instructions. So Schomberg made haste to get out of England, to prevent an address to send him away; and he was by that time as weary of the court, as the court was of him.

The duke was now looking for another wife. He made addresses to the lady Bellasis, the widow of the lord Bellasis' son. She was a zealous protestant, though she was married into a popish family. She was a woman of much life and great vivacity, but of a very small proportion of beauty; as the Duke was often observed to be led, by his amours, to objects that had no extraordinary charms. Lady Bellasis gained so much on the duke, that he gave her a promise under his hand to marry her. And he sent Coleman to her to draw her over to popery; but in that she could not be moved. When some of her friends reproached her for admitting the duke so freely to see her, she could not bear it, but said that she could show that his addresses to her were honourable. When this came to the lord Bellasis' ears, who was her father-in-law, and was a zealous papist, and knew how intractable the lady was in those matters, he gave the whole design of bringing in their religion for gone, if that was not quickly broken; so he, pretending a zeal for the king, and the duke's honour, went and told the king all he had heard. The king sent for the duke, and told him, it was too much that he had played the fool once: that was not to be done a second time, and at such an age. The lady was also so threatened, that she gave up the promise, but kept an attested copy of it, as she herself told me†. There was an archduchess of Innspruck, to whom marriage was solemnly proposed; but, the empress happening to die at that time, the emperor himself married her. After that a match was proposed to the duke of Modena's daughter, which took effect. But because those at Rome were not willing to consent to it, unless she might have a public chapel, which the court would not hearken to, another marriage was proposed for a daughter of the duke of Crequi's. I saw a long letter of the duke's written to sir William Lockhart, upon this subject, with great anxiety. He apprehended if he was

* This was the French rear-admiral Martel. He not being in the secret of his court, fought in earnest in the action of the 11th of August; and his narrative of the battle was suppressed.—Campbell's Admirals.

† Dean Swift mentions, in one of his letters to Mrs Dingley, that lady Bellasis died in the reign of queen Anne, and that one of her executors, lord Berkley of Stratton, benefited 10,000*l.* by her death.

not married before the session of parliament, that they would fall on that matter, and limit him so, that he should never be able to marry to his content; he was vexed at the stiffness of the court of Rome, who were demanding terms that could not be granted; he had sent a positive order to the earl of Peterborough, who was negotiating the business at Modena, to come away by such a day, if all was not consented to. In the meanwhile he hoped the king of France would not put that mortification on him, as to expose him to the violence of the parliament (I use his own words); but that he would give order for dispatching that matter with all possible haste. But while he was thus perplexed the court of Rome yielded, and so the duke married that lady by proxy; and the earl of Peterborough brought her over through France*.

The Swedes offered at this time a mediation in order to a peace, and Cologne was proposed to be the place of treaty. The king ordered the earl of Sunderland, sir Leolin Jenkins†, and sir Joseph Williamson‡ thither, to be his plenipotentiaries. Lord Sunderland was a man of a clear and ready apprehension, and a quick decision in business. He had too much heat both of imagination and passion, and was apt to speak very freely both of persons and things. His own notions were always good; but he was a man of great expense. And, in order to the supporting himself, he went into the prevailing counsels at court; and he changed sides often, with little regard either to religion or the interest of his country. He raised many enemies to himself by the contempt with which he treated those who differed from him. He had indeed a superior genius to all the men of business that I have yet known. And he had the dexterity of insinuating himself so entirely into the greatest degree

* This princess was Mary Beatrix Eleanor D'Este, daughter of the duke of Modena. Louis the Fourteenth adopted her, and, it is said, gave her a portion suitable to her rank when she married the duke of York. But this was denied by secretary Coventry, who said she had 400,000 crowns from her father.—Gray's Debates, ii. 190. She died at St. Germains, in April, 1718. She will be frequently noticed as the queen of James the Second.

† Sir Leolin Jenkins is said to have been the son of a Glamorganshire tailor; at all events, his father was in humble circumstances, and the son was indebted for his education to a distant relative, the intrepid Judge David Jenkins, who told the parliament, in 1640, they were "a den of thieves," and if they executed him for high-treason he would mount the scaffold with the bible under one arm and Magna Charta under the other. Driven from Oxford by the civil disturbances during the reign of the first Charles, he acted as tutor to the sons of sir John Aubrey and others, travelled on the continent with his pupils, and thus profitably employed his time until the Restoration. He then was chosen a fellow of his college, Jesus, at Oxford, and soon after became its principal. He had made the civil law his particular study, and consequently was capable of filling the offices of judge of the admiralty and prerogative courts, to which he was preferred before the year 1668. In the year following, he was sent by Charles the Second to the French court, to claim the jewels of the queen-mother of England, then lately deceased there. Upon his return he was knighted. Upon his appointment to be a plenipotentiary, as mentioned in the text, he resigned the principality of his college. His other state employments will be mentioned in future pages. Upon his final retirement from secular employments, in 1684, he retired to Hammersmith, and died there the year following, aged sixty-two.—(Wood's Fasti, 132. fol. Life prefixed to his Letters and State Papers). From the statements of sir W. Temple it would appear that he very much mistrusted his own judgment, so that he was not very well qualified for an ambassador; and as he once affirmed, in his place as a senator, that "the king might raise money without an act of Parliament," it is still more certain that he did not understand the nature of our government, or else he sold his conscience to increase his influence with a despotic-minded king. Aubrey (MS. in the Ashmolean Museum) relates, that sir Lionel preserved e leather breeches he wore at Oxford, as a memorial of his good fortune. This shows he had dignity of mind.

‡ Sir Joseph Williamson was the son of a vicar of Bridekirk, in Cumberland. He was born about the year 1620. A pupil of the philosopher Locke, and initiated in politics as secretary under sir Edward Nicholas and the earl of Arlington, it is not surprising that his great natural talents rendered him one of the most able statesmen of his period. It was his abilities alone that brought him into notice, and caused him more than once to be elected a representative at the same time for Rochester and Thetford. His first appearance in parliament seems to have been during that which began in 1661. He was made clerk of the council and knighted in 1671. Some of his other political employments will be noticed in future pages. In 1674, he was made one of the secretaries of state, giving the earl of Arlington, his predecessor, 6000*l.* for the appointment (Temple's Memoirs); and in that capacity, four years afterwards, he so much incurred the resentment of the house of commons, that it committed him to the Tower. Charles, the same day, sent to the members of the house, and told them, "Though you have committed my servant without acquainting me, yet I intend to deal more freely with you, and acquaint you with my intention to release him;" which he did before they could draw up an opposing address. Sir Joseph devoted his leisure to literature and science. He was president of the Royal Society, and at his death, as he had in his life, he studied to promote the improvement of knowledge. He bequeathed a valuable collection of manuscripts and 6000*l.* to Queen's College, Oxford, where he had graduated; founded a mathematical school at Rochester; and left other munificent legacies. He married the sister and heiress of the duke of Richmond, which lady had a daughter by a former marriage with a son of the marquis of Thomond. This daughter eloped with the son of Henry, the second earl of Clarendon.—See Clarendon Correspondence, ii. 180, &c.; Wood's Fasti Oxon. ii. 197. fol.; Noble's Continuation of Grainger; Gen. Biograph. Dict., &c.

of confidence with three succeeding princes, who set up on very different interests, that he came by this to lose himself so much, that even those who esteemed his parts depended little on his firmness*.

The treaty of Cologne was of a short continuance; for the emperor, looking on Furstenberg, the dean of Cologne, and bishop of Strasburgh, afterwards advanced to be cardinal, who was the elector's plenipotentiary at that treaty, as a subject of the empire, who had betrayed it, ordered him to be seized on. The French looked on this as such a violation of the passports, that they set it up for a preliminary, before they would enter upon a treaty, to have him set at liberty.

Maestricht was taken this summer; in which the duke of Monmouth distinguished himself so eminently, that he was much considered upon it. The king of France was there. After the taking of Maestricht he went to Nancy in Lorraine, and left the prince of Condé with the army in Flanders, Turenne having the command of that on the upper Rhine against the Germans; for the emperor and the whole empire were now engaged.

But I return now to the intrigues of our court. I came up this summer, in order to the publishing the "Memoirs of the Dukes of Hamilton." I had left Scotland under an universal discontent. The whole administration there was both violent and corrupt, and seemed to be formed on a French model. The parliament had in the year 1663, in order to the bringing our trade to a balance with England, given the king in trust a power to lay impositions on foreign commodities. So upon that a great duty was lately laid upon French salt, in order to the better vending the salt made at home: upon which it was sold very dear. And that raised great complaints; for, as the salt was excessively dear, so it did not serve all purposes. All people looked on this as the beginning of a *gabel*. An imposition was also laid on tobacco; and all brandy was prohibited to be imported, but not to be retailed; so those who had the grant of the seizures sold them, and raised the price very much. These occasioned monopolies: and the price of those things that were of great consumption among the commons was much raised; so that a trust lodged with the crown was now abused in the highest degree. As these things provoked the body of the people, so duke Lauderdale's insolence, and his engrossing everything to himself and to a few of his friends, and his wife and his brother setting all things to sale, raised a very high discontent all over the nation. The affairs of the church were altogether neglected; so that in all respects we were quite out of joint.

I went up with a full resolution to do my country all the service I could, and to deal very plainly with the duke of Lauderdale, resolving, if I could do no good, to retire from all affairs, and to meddle no more in public business. I lost indeed my best friend at court. Sir Robert Murray died suddenly at that time. He was the wisest and worthiest man of the age, and was as another father to me. I was sensible how much I lost in so critical a conjuncture, being bereft of the truest and faithfullest friend I had ever known: and so I saw, I was in danger of committing great errors, for want of so kind a monitor.

* Robert Spencer had for his father Henry, first earl of Sunderland, who died in the king's cause at Newbury fight, and his mother was the celebrated Dorothy Sidney, eldest daughter of the earl of Leicester, so generally known as "Saccharissa," in the poems of Waller. He inherited the talents and beauty of his parents: but his father's constancy, even to death, for what he considered the right, did not descend to the son. A contemporary authority represents him as singularly unqualified for, and negligent of, public business; stating that he was remarkable for never speaking in public, nor even in the cabinet, more than saying he was of that lord's opinion, or, he wondered how any one could entertain such an opinion. When he was secretary, which office he filled a few years subsequently, Mr. Bridgeman always attended to take the minutes for him; and when president, the lord-chancellor invariably acted at the council in his stead. He never went to the secretary's office; but the papers were carried to his house, where he was usually found at cards, and he signed them in general without reading them, or asking what were their contents—(Earl of Dartmouth, in Oxford ed. of this work). The chief events of his political life will be noticed in following pages, and they suggest to us the conclusion, that a minister who could allow himself to be the supporter of such totally opposite measures and principles as those which characterised the governments of Charles the Second, James the Second, and William the Third, must have been sufficiently pliant never to let his own virtue and opinions stand in the way of his interest. The Clarendon correspondence shows him acting traitorously and selfishly in the extreme. It appears he withheld a letter that might have saved Monmouth from the scaffold; changed his profession of religion to establish himself with James; and continued to hold office whilst he corresponded with him who came and dethroned him. When finally disgraced, he retired to his seat at Althorp, and died there generally despised, in 1702.—Park's Royal and Noble Authors.

At my coming to court, duke Lauderdale took me into his closet, and asked me the state of Scotland. I, upon that, gave him a very punctual and true account of it. He seemed to think that I aggravated matters; and asked me, if the king should need an army from Scotland to tame those in England, whether that might be depended on? I told him certainly not: the commons in the southern parts were all presbyterians; and the nobility thought they had been ill-used, and were generally discontented, and only waited for an occasion to show it. He said he was of another mind: the hope of the spoil of England would fetch them all in I answered, the king was ruined if ever he trusted to that; and I added, that with relation to other more indifferent persons, who might be otherwise ready enough to push their fortunes, without any anxious enquiries into the grounds they went on; yet even these would not trust the king, since he had so lately said he would stick to his declaration, and yet had so soon after given it up. He said, *Hinc illæ lacrymæ;* but the king was forsaken in that matter, for none stuck to him but lord Clifford and himself; and then he set himself into a fit of railing at lord Shaftesbury. I was struck with this conversation, and by it I clearly saw into the desperate designs of the court, which were as foolish as they were wicked; for I knew that, upon the least disorder in England, they were ready in Scotland to have broken out into a rebellion: so far were they from any inclination to have assisted the king in the mastering of England. I was much perplexed in myself what I ought to do, whether I ought not to have tried to give the king a truer view of our affairs; but I resolved to stay for a fit opportunity. I tried the duchess of Lauderdale, and set before her the injustice and oppression that Scotland was groaning under; but I saw she got too much by it to be any way concerned at it. They talked of going down to hold a session of parliament in Scotland: I warned them of their danger; but they despised all I could say. Only great offers were made to myself to make me wholly theirs, which made no impression on me.

He carried me to the king, and proposed the licensing my "Memoirs" to him. The king bid me bring them to him, and said he would read them himself. He did read some parts of them, particularly the account I gave of the ill-conduct of the bishops, that occasioned the beginning of the wars; and told me that he was well pleased with it. He was at that time so much offended with the English bishops for opposing the toleration, that he seemed much sharpened against them. He gave me back my book to carry it to secretary Coventry, in order to the licensing it. The secretary said, he would read it all himself; so this obliged me to a longer stay than I intended. Sir Ellis Leighton carried me to the duke of Buckingham, with whom I passed almost a whole night, and happened so far to please him that he, who was apt to be fired with a new acquaintance, gave such a character of me to the king, that ever after that he took much notice of me, and said he would hear me preach. He seemed well pleased with my sermon; and spoke of it in a strain that drew much envy on me.

He ordered me to be sworn a chaplain, and admitted me to a long private audience, that lasted above an hour, in which I took all the freedom with him, that I thought became my profession. He run me into a long discourse about the authority of the church, which he thought we made much of in our disputes with the dissenters, and then took it all away when we dealt with the papists. I saw plainly what he aimed at in this, and I quickly convinced him that there was a great difference between an authority of government in things indifferent, and a pretence to infallibility. He complained heavily of the bishops for neglecting the true concerns of the church, and following courts so much, and being so engaged in parties. I went through some other things with relation to his course of life, and entered into many particulars with much freedom. He bore it all very well, and thanked me for it; some things he freely condemned, such as living with another man's wife; other things he excused, and thought "God would not damn a man for a little irregular pleasure." He seemed to take all I had said very kindly; and during my stay at court he used me in so particular a manner, that I was considered as a man growing into a high degree of favour.

At the same time lord Aneram, a Scotch earl, but of a small fortune, and of no principles, either as to religion or virtue, whose wife was a papist, and himself a member of the house

of commons, told the duke that I had a great interest in Scotland, and might do him service in that kingdom. He depended on duke Lauderdale, but hated him, because he did nothing for him. We were acquainted there; and he having studied the most divinity of any man of quality I ever knew, we found many subjects of discourse. He saw I did not flatter duke Lauderdale, and he fancied he might make a tool of me. So he seemed to wonder that I had not been carried to wait on the duke (of York), and brought me a message from him, that he would be glad to see me; and upon that he carried me to him. The duke received me very graciously. Lord Ancram had a mind to engage me to give him an account of the affairs of Scotland; but I avoided that, and very bluntly entered into much discourse with him about matters of religion. He said some of the common things, of the necessity of having but one church, otherwise we saw what swarms of sects did rise up on our revolt from Rome, and these had raised many rebellions and the shedding much blood; and he named both his father's death, and his great-grandmother's, Mary, queen of Scots. He also turned to some passages in Heylin's History of the Reformation, which he had lying by him; and the passages were marked, to show upon what motives and principles men were led into the changes that were then made. I enlarged upon all these particulars, and showed him the progress that ignorance and superstition had made in many dark ages, and how much bloodshed was occasioned by the papal pretensions; for all which the opinion of infallibility was a source never to be exhausted. And I spoke long to such things as were best suited to his temper and his capacity. I saw lord Ancram helped him all he could, by which I perceived how he made his court; for which, when I reproached him afterwards, he said it was ill-breeding in me to press so hard on a prince. The duke, upon this conversation, expressed such a liking to me, that he ordered me to come oft to him; and afterwards he allowed me to come to him in a private way, as oft as I pleased. He desired to know the state of affairs in Scotland. I told him how little that kingdom could be depended on. I turned the discourse often to matters of religion. He broke it very gently; for he was not at all rough in private conversation. He wished I would let those matters alone; I might be too hard for him and silence him, but I could never convince him. I told him it was a thing he could never answer to God, nor the world, that, being born and baptised in our church, and having his father's last orders to continue stedfast in it, he had suffered himself to be seduced, and as it were stolen out of it, hearing only one side, without offering his scruples to our divines, or hearing what they had to say in answer to them; and that he was now so fixed in his popery, that he would not so much as examine the matter. He said to me, he had often picqueered out (that was his word) on Sheldon, and some other bishops; by whose answers he could not but conclude, that they were much nearer the church of Rome than some of us young men were.

Stillingfleet had a little before this time published a book of the idolatry and fanaticism of the church of Rome. Upon that the duke said, he asked Sheldon if it was the doctrine of the church of England, that Roman catholics were idolaters: who answered him, it was not; but that young men of parts would be popular, and such a charge was the way to it. He at that time shewed me the duchess's paper, that has been since printed; it was all written with her own hand. He gave me leave to read it twice over, but would not suffer me to copy it. And upon the mention made in it of her having spoken to the bishops concerning some of her scruples, and that she had such answers from them as confirmed and heightened them, I went from him to Morley, as was said formerly, and had from him the answer there set down. I asked the duke's leave to bring doctor Stillingfleet to him. He was averse to it; and said, it would make much noise, and could do no good. I told him, even the noise would have a good effect; it would shew he was not so obstinate, but that he was willing to hear our divines. I pressed it much, for it became necessary to me, on my own account, to clear myself from the suspicion of popery, which this extraordinary favour had drawn upon me. I at last prevailed with the duke to consent to it: and he assigned an hour of audience. Stillingfleet went very readily, though he had no hopes of success. We were about two hours with him, and went over most of the points of controversy. Stillingfleet thought, the point that would go the easiest, and be the best understood by him, was the papal pretensions to a power over princes, in deposing them, and giving their domi-

nions to others: and upon that he shewed him, that popery was calculated to make the pope the sovereign of all Christendom. The duke shifted the discourse from one point to another; and did not seem to believe the matters of fact and history alleged by us. So we desired he would call for some priests, and hear us discourse of those matters with them in his presence. He declined this; and said, it would make a noise. He assured us, he desired nothing but to follow his own conscience, which he imposed on nobody else, and that he would never attempt to alter the established religion. He loved to repeat this often; but when I was alone with him, I warned him of the great difficulties his religion was likely to cast him into. This was no good argument to make him change; but it was certainly a very good argument to make him consider the matter so well, that he might be sure he was in the right. He objected to me the doctrine of the church of England in the point of submission, and of passive obedience. I told him, there was no trusting to a disputable opinion: there were also distinctions and reserves, even in those who had asserted these points the most; and it was very certain, that when men saw a visible danger of being first undone, and then burnt, they would be inclined to the shortest way of arguing, and to save themselves the best way they could; interest and self-preservation were powerful motives. He did very often assure me, he was against all violent methods, and all persecution for conscience sake, and was better furnished to speak well on that head, than on any other. I told him, all he could say that way would do him little service; for the words of princes were looked on as arts to lay men asleep: and they had generally regarded them so little themselves, that they ought not to expect that others should have great regard to them. I added, he was now of a religion in which others had the keeping of his conscience, who would now hide from him this point of their religion, since it was not safe to own it, till they had it in their power to put it in practice: and whenever that time should come, I was sure that the principles of their church must carry him to all the extremities of extirpation I carried a volume of judge Crook's to him, in which it is reported, that king James had once in council complained of a slander cast on him, as if he was inclined to change his religion; and had solemnly vindicated himself from the imputation; and prayed, that if any should ever spring out of his loins that should maintain any other religion than that which he truly maintained and professed, that God would take him out of the world. He read it; but it made no impression: and when I urged him with some things in his father's book, he gave me the account of it that was formerly mentioned. He entered into great freedom with me about all his affairs; and he shewed me the journals he took of business every day with his own hand; a method, he said, that the earl of Clarendon had set him on. The duchess had begun to write his life. He shewed me a part of it in a thin volume in folio. I read some of it, and found it written with a great deal of spirit *. He told me, he intended to trust me with his journals, that I might draw a history out of them: and thus, in a few weeks' time, I had got far into his confidence. He did also allow me to speak to him of the irregularities of his life, some of which he very freely confessed: and when I urged him, how such a course of life did agree with the zeal he shewed in his religion, he answered, "must a man be of no religion unless he is a saint?" Yet he bore my freedom very gently, and seemed to like me the better for it. My favour with him grew to be the observation of the whole court. Lord Ancram said, "I might be what I pleased, if I would be a little softer in the points of religion." Sir Ellis Leighton brought me a message from F. Sheldon, and some of his priests, assuring me, they heard so well of me, that they offered me their service. He pressed me to improve my present advantages to the making my fortune: the see of Durham was then vacant; and he was confident it would be no hard matter for me to compass it. But I had none of those views, and so was not moved by them. The duke of Buckingham asked me, what I meant in being so much about the duke? If I fancied I could change him in point of religion, I knew him and the world very little: if I had a mind to raise myself, a sure method for that

* These papers, beyond a doubt, afforded materials to the Père d'Orléans, in his work relating to James the Second. Many of the Stuart papers, and the despatches of Barillon, preserved in the Depôt des Affaires Etrangères at Paris, contain much information relative to our national affairs at this period. In the introduction to Fox's "History of James the Second," and in the "Memoirs of Sir J. Mackintosh," there are some very interesting particulars of the dispersion, and supposed destruction of the chief of the Stuart papers.

was, to talk to him of the reformation, as a thing done in heat and haste, and that in a calmer time it might be fit to review it all. He said, I needed go no farther; for such an intimation would certainly raise me: and when I was positive not to enter into such a compliance, he told me, he knew courts better than I did: princes thought their favours were no ordinary things; they expected great submissions in return, otherwise they thought they were despised: and I would feel the ill effects of the favour I then had, if I did not strike into some compliances: and, since I was resolved against these, he advised me to withdraw from the court, the sooner the better. I imputed this to his hatred of the duke; but I found afterwards the advice was sound and good. I likewise saw those things in the duke's temper, from which I concluded, I could not maintain an interest in him long. He was for subjects submitting in all things to the king's notions; and thought, that all who opposed him, or his ministers in parliament, were rebels in their hearts; and he hated all popular things, as below the dignity of a king. He was much sharpened at that time by the proceedings of the house of commons.

In the former session it was known that he was treating a marriage with the archduchess, and yet no address was made to the king to hinder his marrying a papist: his honour was not then engaged; so it had been seasonable, and to good purpose, to have moved in it then: but now he was married by proxy, and lord Peterborough had brought the lady to Paris. Yet the house of commons resolved to follow the pattern the king of France had lately set. He treated with the elector Palatine for a marriage between his brother and the elector's daughter; in which one of the conditions agreed to was, that she should enjoy the freedom of her religion, and have a private oratory for the exercise of it. When she came on her way as far as Metz, an order was sent to stop her, till she was better instructed: upon which she changed, at least as to outward appearance. It is true, the court of France gave it out that the elector had consented to this method, for the saving his own honour; and he had given the world cause to believe he was capable of that, though he continued openly to deny it. The house of commons resolved to follow this precedent, and to make an address to the king, to stop the princess of Modena's coming to England till she should change her religion. Upon this the duke moved the king to prorogue the parliament for a week: and a commission was ordered for it. The duke went to the house on that day to press the calling up the commons, before they could have time to go on to business. Some peers were to be brought in. The duke pressed lord Shaftesbury to put that off, and to prorogue the parliament. He said coldly to him, there was no haste; but the commons made more haste, for they quickly came to a vote for stopping the marriage; and by this means they were engaged, (having put such an affront on the duke) to proceed farther. He presently told me how the matter went, and how the lord chancellor had used him; he was confident the king would take the seals from him, if he could not manage the sessions so as to procure him money, of which there was indeed small appearance. I told him, I looked on that as a fatal thing, if the commons began once to affront him; that would have a sad train of consequences, as soon as they thought it necessary for their own preservation, to secure themselves from falling under his revenges. He said, he was resolved to stand his ground, and to submit to the king in every thing: he would never take off an enemy; but he would let all the world see, that he was ready to forgive every one that should come off from his opposition, and make applications to him. When the week of the prorogation was ended, the session was opened by a speech of the king's, which had such various strains in it, that it was plain it was made by different persons. The duke told me that lord Clarendon, during his favour, had penned all the king's speeches; but that now they were composed in the cabinet, one minister putting in one period, while another made another; so that all was not of a piece. He told me lord Arlington was almost dead with fear; but lord Shaftesbury reckoned himself gone at court, and acted more roundly. In his speech he studied to correct his *Delenda est Carthago* *, applying it to the Lovestein party †, whom he called the Carthaginians: but this made him as ridiculous as the other had made him odious. The house of commons took up again the matter of the duke's marriage, and moved for an address about it. But it was

* A quotation he had made use of when speaking of our war with Holland. See p. 229.

† This was a party in Holland against having a stadtholder, and so called from Lovestein Castle, in which the old prince of Orange had imprisoned some of the States who opposed him.

said, the king's honour was engaged: yet they addressed to him against it; but the king made them no answer *. By that time I had obtained a licence of secretary Coventry for my book, which the king said should be printed at his charge.

But now I must give an account of a storm raised against myself, the effects of which were very sensible to me for many years. The duke of Lauderdale had kept the Scotch nation in such a dependence on himself, that he was not pleased with any of them that made an acquaintance in England, and least of all in the court: nor could he endure that any of them should apply themselves to the king or the duke, but through him. So he looked on the favour I had got into with a very jealous eye. His duchess questioned me about it. Those who know what court jealousies are will easily believe that I must have said somewhat to satisfy them, or break with them. I told her what was very true as to the duke, that my conversation with him was about religion; and that with the king I had talked of the course of life he led. I observed a deep jealousy of me in them both, especially, because I could not go with them to Scotland. I said I would follow as soon as the secretary would dispatch me. And as soon as that was done I took post, and by a great fall of snow was stopped by the way; but I unhappily got to Edinburgh the night before the parliament met. Duke Hamilton, and many others, told me how strangely duke Lauderdale talked of my interest at court, as if I was ready to turn papist. Duke Hamilton also told me they were resolved next day to attack duke Lauderdale, and his whole administration in parliament. I was troubled at this, and argued with him against the fitness of it all I could: but he said he was engaged. The earls of Rothes, Argyle, and Tweedale, and all the cavalier party, had promised to stick by him. I told him, what afterwards happened, that most of these would make their own terms, and leave him in the lurch; and the load would lie on him. When I saw the thing was past remedy, I resolved to go home, and follow my studies, since I could not keep duke Lauderdale and him any longer in a good understanding.

Next day, when the parliament was opened, the king's letter was read, desiring their assistance in carrying on the war with Holland, and assuring them of his affection to them in very kind words. This was seconded by duke Lauderdale in a long speech: and immediately it was moved to appoint a committee to prepare an answer to the king's letter, as was usual. Duke Hamilton moved, that the state of the nation might be first considered, that so they might see what grievances they had: and he hinted at some. And then, as it had been laid, about twenty men, one after another, spoke to several particulars. Some mentioned the salt, others the tobacco, and the brandy: some complained of the administration of justice, and others of the coin. With this the duke of Lauderdale was struck, as one dead; for he had raised his credit at court by the opinion of his having all Scotland in his hand, and in a dependence on him: so a discovery of this want of credit with us he saw must sink him there. He had not looked for this, though I had warned him of a great deal of it: but he reflecting on that, and on the credit I had got at court, and on the haste I made in my journey, and my coming critically the night before the session opened; he laid all this together, and fancied I was sent on design, as the agent of the party, and that the licensing my book was only a blind: he believed sir Robert Murray had laid it, and that the earl of Shaftesbury had managed it; and because it was a common artifice of king Charles's ministers to put the miscarriage of affairs upon some accident, that had not been foreseen by them, but should be provided against for the future, he assured the king that I had been the incendiary, that I had my uncle's temper in me, and that I must be subdued, otherwise I would embroil all his affairs. The king took all things of that kind easily from his ministers, without hearing any thing to the contrary; for he was wont to say, all apologies were lies: upon which one said to him once, then he would always believe the first lie. But all this was much increased, when duke Lauderdale upon his coming up told the king, that I had boasted to his wife of the freedom that I had used with him, upon his course of life. With this the king was highly offended, or at least he made much use of it, to justify many hard things that he said of me; and for many years he allowed himself a very free scope in

* The second address to the king against this marriage of the duke of York, was voted by a majority of one hundred and eighty-four against eighty-eight; affording decisive evidence of the strong and general feeling against every measure that tended to strengthen the Roman catholic interest. The debate, which was long and animated, and the address voted, are given in Gray's Debates, ii. 190. 214.

talking of me. I was certainly to blame for the freedom I had used with the duchess of Lauderdale; but I was surprised by her question, and I could not bring myself to tell a lie. So I had no other shift ready to satisfy her. But the duke (of York) kept up still a very good opinion of me. I went home to Glasgow, where I prosecuted my studies till the June following, when I went again to London.

Duke Lauderdale put off the session of parliament for some time, and called a council, in which he said great complaints had been made in parliament of grievances: he had full authority to redress them all in the king's name; therefore he charged the privy councillors to lay all things of that kind before that board, and not to carry them before any other assembly till they saw what redress was to be had there. Duke Hamilton said, the regular way of complaints was to make them in parliament, which only could redress them effectually; since the putting them down by the authority of council was only laying them aside for a while, till a fitter opportunity was found to take them up again. Upon this duke Lauderdale protested that he was ready in the king's name to give the subject ease and freedom, and that those who would not assist and concur with him in this, were wanting in duty and respect to the king; and since he saw the matter of the salt, the tobacco, and the brandy, had raised much clamour, he would quash these. But the party had a mind to have the instruments of their oppression punished, as well as the oppression itself removed, and were resolved to have these things condemned by some exemplary punishments, and to pursue duke Lauderdale and his party with this clamour.

Next session of parliament new complaints were offered. Duke Lauderdale said, these ought to be made first to the lords of the articles, to whom all petitions and motions ought to be made first; and that they were the only judges, what matters were fit to be brought into parliament. The other side said, they were only a committee of parliament, to put motions into the form of acts, but that the parliament had still an entire authority to examine into the state of the nation. In this debate they had the reason of things on their side; but the words of the act favoured duke Lauderdale. So he lodged it now where he wished it might be, in a point of prerogative. He valued himself to the king on this, that he had drawn the act that settled the power of the lords of the articles; who being all upon the matter named by the king, it was of great concern to him to maintain that, as the check upon factious spirits there; which would be no sooner let go, than the parliament of Scotland would grow as unquiet, as a house of commons was in England; that was a consideration which at this time had great weight with the king. I now return to give an account of this year's session in England.

In the beginning of it, the duke of Ormond, the earls of Shaftesbury and Arlington, and secretary Coventry, offered an advice to the king, for sending the duke for some time from the court, as a good expedient both for himself and the duke. The king hearkened so far to it, that he sent them to move it to the duke. He was highly incensed at it: he said he would obey all the king's orders, but would look on those as his enemies, who offered him such advices. And he never forgave this to any of them; no, not to Coventry, for all his good opinion of him. He pressed the king vehemently to take the seals from the earl of Shaftesbury. So it was done: and they were given to Finch, then attorney-general, made afterwards earl of Nottingham *. He was a man of probity, and well versed in the laws.

* There is reason to believe that the earl of Shaftesbury, in promoting the alliance with France and sanctioning the declaration for toleration, had for his object the breaking down that spirit of bigotry which was then so prevalent; but he found public opinion was too strong to be successfully opposed by individual talent; probably still more was he influenced to change his measures, by observing that public opinion was right in considering that the king and the duke would not be content with toleration for the Roman catholic religion, but aimed at acquiring for it the ascendancy. He therefore directed his energies to prevent this greater evil; and in doing so, had to oppose measures which he had originally supported. This must justify a suspicion of a man's consistency and integrity; but at the same time it is always just to believe a man honest until he is proved to be a knave. The earl unquestionably was prone to be too energetic in the support he gave to the policy he advocated. There was no necessity to destroy the power of Holland, as he seemed to imply in his quotation—*Delenda est Carthago*—neither was there now any immediate necessity to intrigue with the prince of Orange to support the protestant interest against the designs of the king and the duke of York. Sir William Temple suspects he did.—Temple's Works, i. 394. fol. At all events, his proposition for the exile of the duke of York was suggested by a desire to support the established church party; and, as stated above, it lost him the chancellorship. Echard thus relates the circumstances.

He was long much admired for his eloquence, but it was laboured and affected; and he saw it as much despised before he died. He had no sort of knowledge in foreign affairs; and yet he loved to talk of them perpetually; by which he exposed himself to those who understood them. He thought he was bound to justify the court in all debates in the house of lords, which he did with the vehemence of a pleader, rather than with the solemnity of a senator. He was an incorrupt judge, and in his court he could resist the strongest applications, even from the king himself, though he did it no where else. He was too eloquent on the bench, in the house of lords, and in common conversation. One thing deserves to be remembered of him: he took great care of filling the church livings that belonged to the seal with worthy men; and he obliged them all to residence *. Lord Shaftesbury was now at liberty to open himself against the court, which he did with as little reserve as decency.

The house of commons were resolved to fall on all the ministry. They began with duke Lauderdale, and voted an address to remove him from the king's councils and presence for ever. They went next upon the duke of Buckingham; and, it being moved in his name, that the house would hear him, he was suffered to come to the house. The first day of his being before them he fell into such a disorder, that he pretended he was taken ill, and desired to be admitted again. Next day he was more composed. He justified his own designs, laying all the ill counsels upon others, chiefly on lord Arlington; intimating plainly that the root of all errors was in the king and the duke. He said hunting was a good diversion, but if a man would hunt with a brace of lobsters, he would have but ill sport. He had used that figure to myself, but had then applied it to prince Rupert and lord Arlington: but it was now understood to go higher. His speech signified nothing towards the saving of himself; but it lost him the king's favour so entirely, that he never recovered it afterwards. Lord Arlington was next attacked; he appeared also before the commons, and spoke much better than was expected; he excused himself, but without blaming the king: and this had so good an effect, that though he, as secretary of state, was more exposed than any other, by the many warrants and orders he had signed, yet he was acquitted, though by a small majority.

The earl was sent for to court on a Sunday morning, as was sir Heneage Finch, the attorney-general, to whom the seals were promised. As soon as the earl came he retired with the king into the closet, while the prevailing party waited in triumph to see him retire without the purse. His lordship being alone with the king, said, "Sir, I know you intend to give the seals to the attorney-general, but I am sure your majesty never intended to dismiss me with contempt." The king, who could not do an ill-natured thing, replied, "God's fish, my lord, I will not do it with any circumstances that may look like an affront."—"Then, Sir," said the earl, "I desire your majesty will permit me to carry the seals before you to chapel, and send for them afterwards from my house." To this the king readily consented, and the earl entertained the king with news, and other diverting stories, until the very minute he was to go to the chapel, purposely to keep the courtiers and his successor upon the rack for fear he should prevail upon the king to change his mind. The king and the earl came out of the closet talking together, and smiling as they went to chapel, which surprised every one, and some ran immediately to tell the duke of York all their measures were broken. The attorney-general was said to be inconsolable.—Echard's Hist. of England, 898.

* Heneage Finch derived both his names from his father, recorder of London. He was born in 1621, educated at Westminster school, and Christchurch, Oxford; and went to the Inner Temple about the year 1638, of which inn he in succession was barrister, reader, bencher, and treasurer. At the restoration he was made solicitor-general and a baronet. Anthony Wood gives a long list of the dignitaries, including the king, that he entertained when reader of the Temple in 1661. The same year he was elected the representative in parliament of Oxford university, but not voting for its exemption from the hearth-tax, he gave an opportunity to its public orator when he was created a doctor of civil law, to give him a gentle rebuke, by saying, "the university wished they had more colleges, and more chambers in which to entertain their guests, but by no means any more chimneys." In 1670, he became attorney-general and lord keeper, as mentioned above, in November, 1673. Shortly after he was created lord Daventry, and in December, 1675, the higher official title of lord high chancellor was conferred upon him. In 1681, he was advanced in the peerage to the title of earl of Nottingham, but he did not long enjoy this honour, for he died the year following. As a statesman, though inclining too much to the enlargement of the crown's prerogative, yet he conducted himself with such moderation and manifest integrity, that no one ever raised against him a disparaging voice. As judge of the highest court of equity, he was deserving the greatest praise that can be uttered for his unflinching, unbiassed performance of his duty. Concurrent circumstances "enabled him, in the course of nine years, to build a system of jurisprudence and jurisdiction upon wide and rational foundations, which have also been extended and improved by many great men, who have since presided in chancery; and from that time to this, the power and business of the court have amazingly increased."—Blackstone's Comment. iii. p. 55; Wood's Athenæ, ii. 718; Biog. Britannica. Dryden, in his "Absalom and Achitophel," characterises this great equity lawyer under the name of Amri, and only tells in verse, what others have recorded in prose, by saying—

> "Our laws, that did a boundless ocean seem,
> Were coasted all, and fathom'd all by him;
> No rabbin speaks like him their mystic sense,
> So just, and with such charms of eloquence:
> To whom the double blessing does belong,—
> With Moses' inspiration, Aaron's tongue."

But the care he took to preserve himself, and his success in it, lost him his high favour with the king, as the duke was out of measure offended at him: so he quitted his post, and was made lord chamberlain *.

The house of commons was resolved to force the king to a peace with the Dutch. The court of France recalled Croissy, finding that the duke was offended at his being led by lord Arlington. Rouvigny was sent over; a man of great practice in business, and in all intrigues. He was still a firm protestant, but in all other respects a very dexterous courtier, and one of the greatest statesmen in Europe. He had the appointments of an ambassador, but would not take the character, that he might not have a chapel, and mass said in it. Upon his coming over, as he himself told me, he found all the ministers of the allies were perpetually plying the members of the house of commons with their memorials. He knew he could gain nothing on them, so he never left the king. The king was in great perplexity; he would have done any thing, and parted with any persons, if that would have procured him money for carrying on the war. But he saw little appearance of that. He found he was indeed at the mercy of the States. So lord Arlington pressed the Spanish ministers to prevail with the States, and the prince of Orange, to get a proposition for a peace to be set on foot: and that it might have some shew of a peace, both begged and bought, he proposed that a sum of money should be offered the king by the States, which should be made over by him to the prince, for the payment of the debt he owed him. Rouvigny pressed the king much to give his parliament all satisfaction in points of religion. The king answered him, "if it was not for his brother's folly, (*la sottise de mon frère*,) he would get out of all his difficulties." Rouvigny drew a memorial for informing the house of commons of the modesty of his master's pretensions; for now the French king was sensible of his errors in making such high demands as he had made at Utrecht; and was endeavouring to get out of the war on easier terms. The States committed a great error in desiring a peace with England, without desiring, at the same time, that the king should enter into the alliance for reducing the French to the terms of the triple alliance. But the prince of Orange thought, that if he could once separate the king from his alliance with France, the other point would be soon brought about: and the States were much set on the having a peace with England, hoping then both to be freed of the great trouble of securing the coast at a vast charge, and also by the advantage of their fleet to ruin the trade and to insult the coasts of France. The States did this winter confer a new and extraordinary dignity on the prince of Orange. They made him hereditary stadtholder; so that this was entailed on him, and his issue male. He had in a year and a half's time changed the whole face of

* The king understanding that the house was about to vote an address to him against the duke of Lauderdale, made an effort to preserve him from the attack, that caused a scene in parliament such as was not unfrequent during the more violent struggles between the same branch of the legislature and his father. On the 3rd of November, 1673, the commons adjourned to eight o'clock of the following morning; but the speaker, sir Edward Seymour, who was treasurer of the navy, and in the interest of the court, did not come until ten. It had been arranged by the ministry that the speaker and the usher of the black rod to summon them to a prorogation should come together into the house, which they did, but the speaker entering first, some of the members clapped to the door, and the speaker was hurried to his seat amid cries of "To the chair—to the chair." Sir Robert Thomas immediately rose and moved, that our alliance with France was a grievance: that the evil counsellors about the king were a grievance, and that the duke of Lauderdale was a grievance, and not fit to be trusted or employed in any office. No debate was allowed, but an immediate cry "to the question—to the question:" but the black rod knocking earnestly at the door, the speaker leaped out of the chair, and the house rose in great confusion. The king briefly told them he intended to make a short recess, "that all good men might recollect themselves:" and he suggested that it would be better for them to apply "to matters of religion, and support against our only competitors at sea, than to things of less importance." The house met again in two months, not at all abated in their determination to address the king to remove the dukes of Lauderdale and Buckingham, and the earl of Arlington. The first was included in the address without difficulty. Buckingham was heard twice by the house in his defence, and examined upon several points. In his speeches and his replies he threw the blame as much as he could upon the earl; but the house voted his name to be included in the address for removal. Arlington was similarly heard, but with more dignity he only defended himself, and did not attempt to inculpate any one. This may have gained the good opinion of the house, but he had also a great support in his friend, the earl of Ossory. This nobleman, eldest son of the duke of Ormond, was the most popular man of his quality in England; and during the five days the debate occupied relating to his friend, he stood in the lobby soliciting the members as they entered to favour him. Arlington's name was determined to be omitted from the address by a majority of 166 opposed by 127. The whole transaction is interestingly given at length in Grey's Debates, ii. pp. 222—329. See also Carte's Life of the Duke of Ormond, ii. 503, and Echard's Hist. of England.

The hon. Architell Grey, whose reports are so frequently quoted in these notes, was thirty years a representative of Derby, during the parliaments of this period.

their affairs. He had not only taken Naerden, which made Amsterdam easy, but by a very bold undertaking he had gone up the Rhine to Bonn, and had taken it in a very few days; and in it had cut off the supplies that the French sent down to their garrisons on the Rhine and the Isel. So that the French finding they could not subsist longer there, were now resolved to evacuate all those places, and the three provinces of which they were possessed; which they did a few months after. An alliance was also made with the emperor; and by this means both the elector of Cologne, and the bishop of Munster, were brought to a peace with the States. The elector of Brandenburgh was likewise returning to the alliance with the States; for in the treaty to which he was forced to submit with Turenne for a truce of a year, he had put an article, reserving to himself a liberty to act in concurrence with the empire, according to such resolutions as should be taken in the diet. This change of the affairs of the States had got the prince of Orange the affections of the people to such a degree, that he could have obtained every thing of them that he would have desired: and even the loss of so important a place as Maestricht was not at all charged on him. So he brought the States to make applications to the king in the style of those who begged a peace, though it was visible they could have forced it. In conclusion, a project of a peace with England was formed, or rather the peace of Breda was written over again, with the offer of two or three hundred thousand pounds for the expense of the war. And the king signed it at lord Arlington's office *.

He came up immediately into the drawing-room; where, seeing Rouvigny, he took him aside, and told him, he had been doing a thing that went more against his heart, than the losing of his right hand: he had signed a peace with the Dutch, the project being brought him by the Spanish ambassador: he saw nothing could content the house of commons, or draw money from them; and lord Arlington had pressed him so hard, that he had stood out till he was weary of his life; he saw it was impossible for him to carry on the war without supplies, of which it was plain he could have no hopes. Rouvigny told him, what was done could not be helped; but he would let him see how faithfully he would serve him on this occasion: he did not doubt but his master would submit all his pretensions to him, and make him the arbiter and mediator of the peace. This the king received with great joy; and said, it would be the most acceptable service that could be done him. The French resolved upon this to accept of the king's mediation; and so the king got out of the war, very little to his honour, having both engaged in it upon unjust grounds, and managed it all along with ill conduct, and bad success; and now he got out of it in so poor and so dishonourable a manner, that with it he lost his credit both at home and abroad. Yet he felt little of all this. He and his brother were now at their ease. Upon this the parliament was quickly prorogued: and the court delivered itself up again to its ordinary course of sloth and luxury †: but lord Arlington, who had brought all this about, was so entirely lost by it, that though he knew too much of the secret to be ill used, yet he could never recover the ground he had lost.

The duchess of York came over that winter; she was then very young, about sixteen, but of a full growth. She was a graceful person, with a good measure of beauty, and so much wit and cunning, that during all this reign she behaved herself in so obliging a manner, and seemed so innocent and good, that she gained upon all that came near her, and possessed them with such impressions of her, that it was long before her behaviour, after she was a queen, could make them change their thoughts of her. So artificially did this young Italian behave herself, that she deceived even the eldest and most jealous persons, both in the court and country. Only sometimes a satirical temper broke out too much, which was imputed to youth and wit, not enough practised in the world. She avoided the appearances of a zealot, or a meddler in business, and gave herself up to innocent cheerfulness; and was universally esteemed and beloved, as long as she was duchess.

* The conferences and transactions of this period relative to the peace, are very fully given in sir W. Temple's Works, i. 394, &c. The only additions to the peace of Breda were, that the Dutch should lower their topsails to English ships of war, whether they were singly or in fleets, and pay 300,000*l.* to the king towards paying the expenses of the war.

† The annunciation to the house of peace being signed, was on the 11th of February, 1674, and parliament was prorogued on the 24th of the same month.—Grey's Debates, ii. 413—454.

She had one put about her to be her secretary, Coleman, who became so active in the affairs of the party, and ended his life so unfortunately *, that since I had much conversation with him, his circumstances may deserve that his character should be given, though his person did not. I was told he was a clergyman's son; but he was early caught by the Jesuits, and bred many years among them. He understood the art of managing controversies, chiefly that great one of the authority of the church, better than any of their priests. He was a bold man, resolved to raise himself, which he did by dedicating himself wholly to the Jesuits; and so he was raised by them. He had a great easiness in writing in several languages; and wrote many long letters, and was the chief correspondent the party had in England. He lived at a vast expense, and talked in so positive a manner, that it looked like one who knew he was well supported. I soon saw into his temper, and I warned the duke of it; for I looked on him as a man much more likely to spoil business, than to carry it on dexterously. He got into the confidence of P. Ferrier, the king of France's confessor, and tried to get into the same pitch of confidence with P. de la Chaise, who succeeded him in that post. He went about every where, even to the jails among the criminals, to make proselytes. He dealt much both in the giving and taking of bribes. But now the affairs of England were calmed, I look again to Scotland, which was yet in a storm.

The king wrote to duke Hamilton to come up; and when he and lord Tweedale arrived, they were so well received, that they hoped to carry their point: but the king's design in this was, that, if he could have brought the house of commons to have given money, he was resolved to have parted with duke Lauderdale, and have employed them: and his kind usage of them was on design to persuade the commons to use himself better, by shewing that he was ready to comply with them. He gave them so good a hearing, that they thought they had fully convinced him; and he blamed them only for not complaining to himself of those grievances. But, as soon as he saw it was to no purpose to look for money from the house of commons, and had signed the peace, he sent them down with full assurances that all things should be left to the judgment of the parliament. They came down through the greatest fall of snow that has been in all my life-time. When they got home, instead of a session, there was an order for a prorogation; which gave such an universal discontent, that many offered at very extravagant propositions, for destroying duke Lauderdale and all his party. Duke Hamilton, who told me this some years after, when an act of grace was published, was neither so bad, nor so bold, as to hearken to these. The king wrote him a cajoling letter, desiring him to come up once more, and to refer all matters to him; and he assured him, he would make up all differences.

In the mean while duke Lauderdale took all possible methods to become more popular. He connived at the insolence of the presbyterians, who took possession of one of the vacant churches of Edinburgh, and preached in it for some months. The earl of Argyle and sir James Dalrymple were the men on whom the presbyterians depended most. Duke Lauderdale returned to his old kindness with the former; and lord Argyle was very ready to forget his late unkindness; so matters were made up between them. Dalrymple was the president of the session, a man of great temper, and of a very mild deportment, but a cunning man. He was now taken into the chief confidence †. He told the presbyterians, if they would now support duke Lauderdale, this would remove the prejudice the king had against them, as enemies to his service. This wrought on many of them.

What influence soever this might have on the presbyterians, the strange conduct with relation to them provoked the clergy out of measure. Some hot men, that were not preferred as they thought they deserved, grew very mutinous, and complained that things were

* Executed for being concerned in the Popish Plot.

† Sir James Dalrymple was the seventh baron, and first viscount, Stair. He was born in 1619. During the civil war he took up arms with the parliament, but appears soon to have disapproved of their proceedings, for he speedily retired from the army, and obtained the professorship of philosophy at Glasgow. At the restoration he was particularly honoured, being created a baronet, a member of the college of justice, and then baron Stair. In 1671, he was appointed president of the court of session, but objecting most earnestly against the cruelties practised there, he was dismissed from office, and retired to the Hague. He here became a favourite with the prince of Orange, who, as soon as he became king of England, restored him to his place as a judge, and made him a viscount. He died in 1695. He published "An Apology for his Own Conduct."—Gen. Bio. Dict.

let fall into much confusion. And they raised a grievous outcry for the want of a national synod, to regulate our worship and government: and so moved in the diocesan synods, that a petition should be offered to the privy council, setting forth the necessity of having a national synod. I liked no part of this. I knew the temper of our clergy too well to depend much on them; therefore I went out of the way on purpose when our synod was to meet. Petitions were offered for a national synod, which was thought an innocent thing: yet, it being done on design to heighten the fermentation the kingdom was in, great exceptions were taken to it. One bishop and four of the clergy were turned out by an order from the king, pursuant to the act asserting the supremacy. After a year, upon their submission, they were restored. Though I was not at all concerned in this, (for I was ever of Nazianzen's opinion, who never wished to see any more synods of the clergy) yet the king was made believe, that I had laid the whole matter, even though I did not appear in any part of it.

Another disorder broke out, which had greater effects. A cause being judged in the supreme court of session, the party appealed to the parliament. This was looked on as a high contempt, done on design to make the parliament a court of judicature, that so there might be a necessity of frequent parliaments. So the judges required all the lawyers to condemn this, as contrary to law. And they had the words of a law on their side: for there lay no such appeal as stopped process, nor was there a writ of error in their law; but upon petitions, parliaments had, though but seldom, reviewed and reversed the judgments of the courts. So the debate lay about the sense of the word "appeal." Sir George Lockhart, brother to the ambassador, was the most learned lawyer, and the best pleader I have ever yet known in any nation; and he had all the lawyers almost in a dependence on him. He was engaged with the party, and resolved to stand it out. The king sent down an order to put all men from the bar that did not condemn appeals: and, when that wrought not on them, they were by proclamation banished Edinburgh, and twelve miles about it: and a new day was assigned them for making their submission: the king, in a very unusual style, declaring, on the word of a prince, that if they submitted not by that day, they should never be again admitted to their practice. They stood it out, and the day lapsed without their submitting. Yet afterwards they renounced appeals in the sense of the Roman law; and, notwithstanding the unusual threatening in the proclamation, they were again restored to practice: but this made a stop for a whole year in all legal proceedings *.

The government of the city of Edinburgh was not so compliant as was expected. So duke Lauderdale procured a letter from the king to turn out twelve of the chief magistrates, and to declare them for ever incapable of all public trusts; so entirely had he forgotten his complaints formerly made against incapacity, even when passed in an act of parliament. The boroughs of Scotland have, by law, a privilege of meeting once a year in a body, to consider of trade, and of by-laws relating to it. At a convention held this year a petition was agreed on, and sent to the king, complaining of some late acts that hindered trade, for the repeal of which there was great need of a session of parliament: they therefore prayed, that when the king sent down a commissioner to hold a session, he might be instructed in order to that repeal. This was judged a legal thing by the lawyers there: for this was a lawful assembly: they did not petition for a parliament, but only for instructions to the session; yet it was condemned as seditious, and those who promoted it were fined and imprisoned for it. Thus duke Lauderdale was lifted up out of measure, and resolved to crush all that stood in his way. He was made earl of Guildford, in England, and had a pension of 3,000*l.*: and he let himself loose into a very ungoverned fury. When duke Hamilton and some other lords came up, the king desired they would put their complaints in writing. They said, the laws were so oddly worded, and more oddly executed, in Scotland, that the modestest paper they could offer might be condemned as leasing-making, and misrepresenting the king's proceedings; so they would not venture on it. The king promised them, that no ill use should be made of it to their prejudice; but they did not think it safe to trust him, for he seemed to be entirely delivered up to all duke Lauderdale's passions.

* This act would stamp the despotic nature of Charles the Second, if all other evidence failed. He was determined not only that his will should be superior to the law, but that all lawyers should admit it to be so.

It is no wonder then that I could not stand before him, though at my coming up the duke of York received me with great kindness, and told me how he had got out of great difficulties, and added, that the king was very firm to him; he commended likewise his new duchess much: he was troubled at our disorders: he was firm to duke Lauderdale, but he would have endeavoured to reconcile matters, if there had been room for it. He told me the king was highly incensed against me; and was made believe, that I was the chief spring of all that had happened: he himself believed me more innocent; and said, he would endeavour to set me right with him; and he carried me to the king, who received me coldly. Some days after, when the duke was hunting, the lord chamberlain told me, he had orders to strike my name out of the list of the chaplains; and that the king forbade me the court, and expected I should go back to Scotland. The duke seemed troubled at this, and spoke to the king about it: but he was positive. Yet he admitted me to say to him what I had to offer in my own justification. I said all that I thought necessary, and appealed to duke Hamilton, who did me justice in it. But the king said, he was afraid I had been too busy, and wished me to go home to Scotland, and be more quiet. The duke upon this told me, that, if I went home without reconciling myself to duke Lauderdale, I should be certainly shut up in a close prison, where I might perhaps lie too long. This I looked on as a very high obligation; so I resigned my employment, and resolved to stay in England. I preached in many of the churches of London, and was so well received, that it was probable I might be accepted of in any that was to be disposed of by a popular election. So a church falling to be given in that way, the electors had a mind to choose me: but yet they were not willing to offend the court. The duke spoke to duke Lauderdale, and told him that he had a mind I should be settled in London, and desired he would not oppose it. Duke Lauderdale said, all this was a trick of the party in Scotland, to settle me, that I might be a correspondent between the factions in both kingdoms. Yet, upon the duke's undertaking that I should not meddle in those matters, he was contented that the king should let the electors know, he was not against their choosing me. Upon this duke Lauderdale, seeing what a root I had with the duke, sent a message to me, that, if I would promise to keep no farther correspondence with duke Hamilton, I should again be restored to his favour. I said I had promised the duke to meddle no more in Scotch affairs; but I could not forsake my friends, nor turn against them. By this he judged I was inflexible. So he carried a story to the king the very night before the election, that upon enquiry was found to be false, when it was too late to help what was done. Upon that the king sent a severe message to the electors. So I missed that. And sometime after a new story was invented, of which Sharp was indeed the author, by which the king was made believe, that I was possessing both lords and commons against duke Lauderdale. Upon that the king ordered Coventry to command me to leave London, and not to come within twenty miles of it. The duke told me what the particulars were, which were all false; for lord Falconbridge and lord Carlisle were the lords, into whom it was said I was infusing those prejudices. Now I was known to neither of them; for, though they had desired my acquaintance, I had declined it. So I told all this to secretary Coventry, who made report of it to the king in the duke's presence: and those lords justified me in the matter. I hoped the king would upon all this recall his order; but he would not do it: so I asked to have it in writing. The secretary knew it was against law, so he would not do it. But I was forbidden the court *. The

* When this subject was examined by the house of commons at the beginning of the year following, 1675, Mr. secretary Coventry gave a somewhat different version of what took place between himself and Burnet. He said he told the doctor that the king had received some ill impressions of him, for meddling with affairs which did not concern him, and therefore it was convenient for him to go out of town. Burnet desired to have an interview with his majesty; but Coventry declined this, though he consented to present any address he might choose to send; and Burnet accordingly wrote a petition, which was delivered. Burnet soon after wished to have the king's message in writing, but Coventry told him that he had had no message direct from the king, even to forbid him the court; such a message would have come through the lord or the vice chamberlain, he only advised him to absent himself.—Grey's Debates, iii. 19.

Mr. Henry Coventry, who had the above conversation with Burnet, was the third son of the first earl of Coventry. He took a master's degree in arts at All Souls College, Oxford. He adopted a line of politics very different to that pursued by his younger brother, sir William. He suffered much for his adhesion to the king in the civil war. At the restoration, he was appointed a groom of the bedchamber. In 1664, he was sent envoy to Sweden, and remained there nearly two years. In 1667,

duke brought duke Lauderdale and me once together, to have made us friends; but nothing would do, unless I would forsake all my friends, and discover secrets. I said, I knew no wicked ones; and I could not break with persons, with whom I had lived long in great friendship. The duke spoke to the lord treasurer *, to soften duke Lauderdale with relation to me, and sent me to him. He undertook to do it, but said afterwards, duke Lauderdale was intractable.

This violent and groundless prosecution lasted some months. And during that time I said to some, that duke Lauderdale had gone so far in opening some wicked designs to me, that I perceived he could not be satisfied unless I was undone. So I told what was mentioned before of the discourses that passed between him and me. This I ought not to have done, since they were the effects of confidence and friendship. But such a course of provocation might have heated a cooler and older man than I was, being then but thirty, to forget the caution that I ought to have used. The persons who had this from me resolved to make use of it against him, in the next session of parliament; for which the earl of Danby and he were preparing, by turning to new methods.

Lord Danby set up to be the patron of the church party, and of the old cavaliers; and duke Lauderdale joined himself to him. It was said the king had all along neglected his best and surest friends; so a new measure was taken up, of doing all possible honours to the memory of king Charles the First, and to all that had been in his interests. A statue of brass on horseback, that had been long neglected, was bought, and set up at Charing Cross; and a magnificent funeral was designed for him †. The building of St. Paul's, in London, was now set on foot with great zeal. Morley and some of the bishops were sent for, and the new ministry settled a scheme with them, by which it was offered to crush all the designs of popery. The ministers expressed a great zeal in this, and openly accused all the former ministers for neglecting it so long. But, to excuse this to the duke, they told him it was a great misfortune that the church party and the dissenters were now run into one; that the church party must have some content given them; and then a test was to be set on foot that should for ever shut out all dissenters, who were an implacable sort of people. A declaration renouncing the lawfulness of resistance in any case whatsoever, and an engagement to endeavour no alteration in church or state, was designed to be a necessary qualification of all that might choose or be chosen members of parliament. If this could be carried, the king's party would be for ever separated from the dissenters, and be so much the more united to him. In order to this, it was necessary to put out severe orders of council against all convicted, or suspected, papists. The duke acquainted me with this scheme. He disliked it much. He thought this would raise the church party too high. He looked on them as intractable in the point of popery. Therefore he thought it was better to keep them under, by supporting the papists. He looked on the whole project as both knavish and foolish. And upon this he spoke severely of duke Lauderdale, who he saw would do anything to save himself; he had been all along in ill terms both with Sheldon and Morley; but now he reconciled himself to them: he brought Sharp out of Scotland, who went about assuring all people that the party set against him was likewise set against the church. This, though notoriously false, passed for true among strangers. And Leighton coming up at the year's end to quit his archbishopric of Glasgow, Burnet had made such submissions

he was our ambassador at Breda, and had a considerable influence in breaking the Triple Alliance. In 1671, he was again ambassador in Sweden, and, returning the following year, was made secretary of state. Mr. speaker Onslow considered him the only honest minister employed by the king after Clarendon's removal. In 1679, he retired from office, as the Gazette announced, "on account of his infirmity of body," and entirely against the wish of the king. He never again accepted employment. He died in 1686, aged sixty-eight.—Grainger's Biog. Hist. vi. 125; Oxford ed. of Burnet's Hist.

* Sir Thomas Osborne, earl of Danby and afterwards duke of Leeds.

† This statue was cast in 1633, by Le Sœur, for the earl of Arundel; but it was not erected until about 1678, when it was placed on its present pedestal, the work of Grinlyn Gibbons. The parliament had ordered it to be 'sold and broken to pieces; but John Rivet, a brazier, living near the Dial, Holborn Conduit, who was the purchaser, buried it unmutilated, and showed some fragments of brass as tokens of his obedience. M. d'Archenholz relates, that this brazier cast a vast number of knife and fork handles, and sold them as made of the broken statue. They were bought by loyalists from affection to their monarch, and by the parliamentarians as a mark of triumph. The statue was placed in its present situation by an order from the earl of Danby.—Archenholz's Tableau d'Angleterre, i. 163; Pennant's London, 93; Walpole's Anecdotes, ii. 248.

that he was restored to it*. So that wound which had been given to episcopacy in his person was now healed. And Leighton retired to a private house in Sussex, where he lived ten years in a most heavenly manner, and with a shining conversation. So now duke Lauderdale was at the head of the church party.

The court was somewhat disturbed with discoveries that were made at this time. When sir Joseph Williamson came back from Cologne, he secretly met with Wicquefort, who has published a work about ambassadors†. He was the Dutch secretary that translated the intelligence that came from England. And sometimes the originals were left in his hands. Williamson prevailed with him to deliver these to him. Most of them were written by the lord Howard's brother, who upon his brother's death was afterwards lord Howard. He was a man of wit and learning, bold and poor, who had run through many parties in religion. In Cromwell's time he was rebaptised, and had preached in London. He set up in opposition to Cromwell, as a great commonwealth's man, and did some service in the Restoration. But he was always poor, and ready to engage in anything that was bold. He went over in the beginning of the war, and offered to serve De Wit. But he told me he found him a dry man. As soon as the prince was raised, he waited on him and on Fagel; and undertook not only to send them good intelligence, but to make a great party for them. He pressed the prince to make a descent on England, only to force the king to call a parliament, and to be advised by it. And he drew such a manifesto as he believed would be acceptable to the nation. He, and one of the Du Moulins that was in lord Arlington's office joined together, and gave the States very good intelligence. Du Moulin, fearing that he was discovered, took the alarm in time and got beyond sea. Most of the papers that Wicquefort delivered were of Howard's writing. So upon his examination in the Tower, it appeared they had his letters against him. And, when notice was sent of this to Holland, Wicquefort was called on to bring before them all the original letters that were trusted to him; and, upon his not doing it, he was clapped up. And the States sent word to the king, that if any person suffered in England on the account of the letters betrayed by him, his head should go for it. Halewyn told me, when it was put to the judges to know what sort of crime this could be made, since the papers were given up after the peace was concluded, (otherwise the betraying the secrets of the state to enemies was a manifest crime), they came to this resolution, that as by the Roman law everything was made capital that was *contra salutem Populi Romani*, so the delivering up such papers was a capital crime. This threatening saved Howard ‡. But yet Wicquefort was kept very long in prison, and ruined by it. He had a sort of a character from one of the princes of Germany, upon which he insisted. But the States thought that his coming into their service was the throwing up of that character. Upon this occasion Carstairs, mentioned in the year 1672, was sent over from Holland to England. And he was seized on with a paper of instructions that were drawn so darkly, that no wonder if they gave a jealousy of some ill designs then on foot. The prince said, when asked about it, that it was only meant for a direction for carrying on the levies of some regiments, that the king had allowed the Dutch to make in Scotland, which the king did the better to excuse his letting so many continue in the French service. However, mention being made of money to be paid and of men to be raised, and a compliment being ordered to be made to duke Hamilton, this looked suspicious. Howard had confessed all he knew upon promise of pardon. So that, and this, laid together, gave the court some apprehensions. Duke Lauderdale made use of it to heighten the king's ill opinion of the party against him. And, because lieutenant-general Drummond was, of all the military men, he that had the best capacity and the greatest reputation, he moved that he might be

* This prelate was no relation to our author.

† Abraham de Wicquefort wrote two works upon the duties of ambassadors—"L'Ambassadeur et ses fonctions," and "Mémoires touchant les ambassadeurs et les ministres publics." For thirty-two years he had been resident-minister of the elector of Brandenburgh, but at the end of that time was committed to the Bastile for communicating intelligence to his native country, Holland. When released, De Wit employed him to write the History of the Seven United Provinces; but before he had completed it he was seized and condemned to imprisonment for life for betraying state secrets, as will be immediately noticed. In 1679 he escaped, and found a protector in the duke of Zell. His "Histoire des Provinces Unies desPays-Bas, &c." is an excellent and authentic work.—Moreri's Hist. Dict.

‡ This thoroughly base man was the chief evidence against his friends, Algernon Sidney and lord W. Russell, whom he betrayed

secured. The method he took in doing it showed, that he neither suspected him, nor regarded the law. The ancient method was to require men to render themselves prisoners by such a day. This was a snare to many, who, though innocent, yet hating restraint, went out of the way, and were proceeded against by an outlawry; but an act of parliament had been made condemning that method for the future. Yet duke Lauderdale resolved to follow it. And Drummond, knowing his innocence, rendered himself as required; and was kept a year in a very cold and inconvenient prison at Dunbarton, on the top of a high rock. This, coming after a whole life of loyalty and zeal, was thought a very extraordinary reward for such high pretensions.

One thing on this occasion may be fit to be told. Lord Kincardine had served duke Lauderdale faithfully, even longer than he could do with a good conscience; for he had stuck to him, and was left by him with the king, when he went to Scotland, who knew well with how much zeal he had supported his interest, and excused his faults. When duke Lauderdale was hotly pushed at, he then promised to all his friends that he would avoid all former errors, if he got out of his trouble; and that made lord Kincardine so earnest to serve him. But, when he saw into how much fury he was running, he tried to have persuaded him to more temper, but found it was in vain. Then he confessed to me that I had judged truer than he had done; for I believed he would grow worse than ever. When lord Kincardine found he could not hinder things in private, he opposed them in council, and so they broke with him. He came up to justify himself to the king, who minded those matters very little; but thought it was necessary to give a full scope to duke Lauderdale's motions, who had told the king there was a spirit of rebellion that run through all sorts of people, and that was to be subdued by acts of power, though perhaps neither legal nor just; and when that evil spirit was once broken, then it would be fit to return to more legal and moderate counsels. So lord Kincardine found there was no arguing with the king upon particulars. Therefore he begged leave to stay some time at court, that he might not be obliged to oppose that which the king was made believe his service required. The king consented to this, and upon all occasions used him very well. Duke Lauderdale could not bear that, and pressed the king often to command him home; which he refused to do. Once he urged it with great vehemence; and the king answered as positively, that he saw no reason for it, and he would not do it. Upon this he came home as in a fit of distraction, and was gathering together all his commissions to deliver them up to the king. Upon that the marquis of Athol, who was then in high favour with him, went to the king, and told him that he had sent duke Lauderdale home half dead and half mad, and begged the king to take pity on him. So the king sent a message to lord Kincardine, ordering him to go home. This lord Athol himself told me afterwards.

Towards the end of summer the battle of Seneff was fought, in the beginning of which the French had a great advantage; but the prince of Condé pushed it too far: and the prince of Orange engaged the whole army with so much bravery, that it appeared that the Dutch army was now brought to another state than he had found it in. He charged himself in many places, with too great a neglect of his person, considering how much depended upon it. He once was engaged among a body of French, thinking they were his own men, and bid them charge; they told him they had no more powder; he, perceiving they were none of his men, with great presence of mind got out of their hands, and brought up a body of his army to charge them, who quickly routed them. The action in the afternoon recovered the loss that was made in the morning, and possessed all the world, the prince of Condé in particular, with a great esteem of the prince's conduct and courage. I will say little of foreign affairs, because there are many copious accounts of them in print, and I can add little to them. With relation to the battle of Seneff, the prince himself told me, that the day before, he saw a capuchin that came over from the French army, and had a long conversation with Zouch, the emperor's general, who behaved himself so ill on the day of battle, that the prince said to his son at night, that his father had acted so basely, that, if it had not been for the respect he bore the emperor, he would have shot him through the head. He was disgraced on this. But the success of the campaign was lost by it. They had a noble army, and might have done much more than they did. Grave was retaken in the end of

the campaign. So the Provinces were now safe on that side. And the prince had gained so much credit with the States, that he was now more than ever the master of their counsels.

The alarm that those discoveries from Holland gave our court, made lord Arlington offer at one trial more for recovering the king's confidence. He offered to go over to Holland with the earl of Ossory, for they fancied they had a great interest in the prince, by their having married two of Beverwardt's daughters; and the prince had always a particular affection to lord Ossory. Lord Arlington said he would go to the bottom of everything with the prince, and did not doubt but he would bring him into an entire dependence on his uncle, and particularly dispose him to a general peace; on which the king was much set, it being earnestly desired by the French. It was likewise believed, that he had leave to give the prince the hope of marrying her whom he afterwards married. The duke told me he knew nothing of the matter: he had heard lord Arlington had talked as if the managing that was his chief errand; and upon that he had asked the king, who assured him that he had a positive order not so much as to speak of that matter. Yet, whether notwithstanding this he had a secret order, or whether he did it without order, he certainly talked a great deal of it to the prince, as a thing which he might depend on, if he would in all other things be governed by the king.

Sir William Temple had been sent over the summer before as ambassador; and his chief instructions were to dispose all people's minds, chiefly the prince's, to a peace. But the prince had avoided the seeing him till the end of the campaign. Lord Arlington had thrown him off when he went into the French interest, and Temple was too proud to bear contempt, or forget such an injury soon. He was a vain man, much blown up in his own conceit, which he showed too indecently on all occasions. He had a true judgment in affairs, and very good principles with relation to government, but in nothing else. He seemed to think that things are as they were from all eternity; at least he thought religion was fit only for the mob. He was a great admirer of the sect of Confucius in China, who were atheists themselves, but left religion to the rabble. He was a corrupter of all that came near him. And he delivered himself up wholly to study ease and pleasure *. He entered into a close friendship with lord Danby, who depended much on him; and was directed in all his notions as to foreign affairs by him; for no man ever came into the ministry that understood the affairs of Europe so little as he did.

* Of all the characters drawn by our author, this of sir William Temple is the most unfair and exaggerated. That he was very vain is generally acknowledged; but, instead of our regretting this, we may justly agree with Grainger, that it is a happy circumstance for his readers, that so polite and learned a writer was also a vain one; for, like Montaigne, his vanity prompted him to dwell upon the affairs in which he was concerned. Even Burnet acknowledges his fidelity as an historian. The charge against him of being an atheist is totally without foundation—all other writers but Burnet, whether writing to disparage or to praise him, speak in very different terms of his religious opinions. It is true, he was no bigot, and declares he "never could understand how those who call themselves, and the world usually calls, *religious men*, come to put so great weight upon those points of belief, which men never have agreed in, and so little upon those of virtue and morality, in which they have hardly ever disagreed," and "since," as he observes in a preceding paragraph, "the great and general end of all religion, next to man's happiness hereafter, is their happiness here; as appears by the commandments of God, being the best and greatest moral and civil, as well as divine, precepts that have been given to a nation."—(Temple's Works, i. 55. fol.) As an ambassador and statesman he is above reproach of any kind; and as a man, though having his share of human weakness, yet his honour, integrity, and kindness of heart, have never been impeached. He was born in 1628; from Cambridge travelled on the continent until the Restoration, when he returned, became a member of the Irish Parliament, and in 1665 obtained his first official employment, being sent to Munster. He was the chief means of obtaining the Triple Alliance between England, Sweden, and Holland, for the maintenance of the protestant cause in Europe; and, as resident at the Hague, promoted the marriage of the prince of Orange with our princess Mary, that was ultimately so instrumental in preserving our religion and constitution. In 1679 he was absolutely compelled, by the king's urgency, to accept the office of secretary of state, but resigned it the following year, and retired to his seat of Moor Park, near Farnham, and passed the remainder of his life there in that rural retirement and literary ease which he always loved. He died in 1700, and his heart, according to directions in his will, was buried in a silver box beneath a sun-dial in his garden, opposite the window from whence he was accustomed to contemplate the beauties of nature. Nor was this, as the editor has elsewhere observed, an unphilosophical clinging to that which it was impossible to retain; but rather a result of that grateful feeling common to our nature, of desiring finally to repose where in life we have been happy. As an author few men have been so generally admired, and in the character of an essayist and historian he is equally excellent. Whoever wishes for a faithful and full narrative of the political transactions of this period, will find no work that will better gratify his desire than sir W. Temple's "Memoirs."—Life prefixed to his works; Biograph. Britan.; and a Life of him, lately published.

I will henceforth leave the account of our affairs beyond sea wholly to Temple's Letters, in which they are very truly and fully set forth. And in them it appears, that the prince of Orange, even while so young, and so little practised in affairs, had so clear and so just a view of them, that nothing could misguide him; and that the bad prospect he had from the ill condition of affairs did not frighten him into accepting of any mean or base conditions of peace. His fidelity to his country, and the public interest, was so firm, that no private considerations of his own could bias him, or indeed be much considered by him. These letters give him a character that is so sublime, as well as so genuine, that it raises him much above all the performances of rhetoric or panegyric. I will mention very little that is to be found in them. Holland was in great expectation, when they saw two such men as the earls of Ossory and Arlington come over, together with the earl of Danby's eldest son, though the last only made the show a little greater. Lord Arlington for some days insisted vehemently on the prince's dismissing Du Moulin, who had discovered the secrets of his office to him. In this the prince complied, and Du Moulin was sent to one of their plantations. As to all other things, lord Arlington talked to him in the strain of a governor; and seemed to presume too much on his youth, and on his want of experience. But instead of prevailing on the prince, he lost him so entirely, that all his endeavours afterwards could never beget any confidence in him. So he came back, and reckoned this was his last essay, which succeeding so ill, he ever after that withdrew from all business. He made himself easy to the king, who continued to be still very kind to him.

At Easter a piece of private news came from France, which the duke was much delighted with, because it did an honour to the order of the Jesuits, to whom he had devoted himself. The new confessor had so pressed the king of France in Lent to send away his mistress, Montespan, that he prevailed at last. She was sent to a nunnery. And so the king received the sacrament, as was said, in a state of contrition. This was written to the duke, and set out with such circumstances as the French usually do everything that relates to their king. The duke was much pleased with it. He told me, he had related it with all its circumstances to the king, in the duchess of Portsmouth's hearing; and said, they both heard it with great uneasiness, and were much out of countenance at it. The duke himself was then in the best temper I had ever known him in. He was reading Nurembergius, "Of the Difference of things Temporal and things Eternal;" and we had much good discourse on that subject. Lord Arlington ran so much in his mind, that he once said to me, if lord Arlington would read that book he would not meddle in so many affairs as he did. I saw he was very jealous of him, and of his interest in the king. Thus I have given a full account of my acquaintance with the duke.

I lost his favour soon after this. For in April, 1675, a session of parliament was held, as preparatory to one that was designed next winter, in which money was to be asked; but none was now asked, it being only called to heal all breaches, and to beget a good understanding between the king and his people. The house of commons fell upon duke Lauderdale. And those who knew what had passed between him and me, moved that I should be examined before a committee. I was brought before them. I told them how I had been commanded out of town. But though that was illegal, yet, since it had been let fall, it was not insisted on. I was next examined concerning his design of arming the Irish papists. I said, I, as well as others, had heard him say, he wished the presbyterians in Scotland would rebel, that he might bring over the Irish papists to cut their throats. I was next examined concerning the design of bringing a Scotch army into England. I desired to be excused as to what had passed in private discourse; to which I thought I was not bound to answer, unless it were high treason. They pressed me long, and I would give them no other answer. So they all concluded that I knew great matters, and reported this specially to the house. Upon that I was sent for and brought before the house. I stood upon it as I had done at the committee, that I was not bound to answer; that nothing had passed that was high treason; and as to all other things, I did not think myself bound to discover them. I said farther, I knew duke Lauderdale was apt to say things in a heat, which he did not intend to do. And, since he had used myself so ill, I thought myself the more obliged not to say anything that looked like revenge for what I had met with from him. I was brought four

times to the bar. At last I was told, the house thought they had a right to examine into everything that concerned the safety of the nation, as well as into matters of treason; and they looked on me as bound to satisfy them; otherwise they would make me feel the weight of their heavy displeasure, as one that concealed what they thought was necessary to be known. Upon this I yielded, and gave an account of the discourse formerly mentioned. They laid great weight on this, and renewed their address against duke Lauderdale *.

I was much blamed for what I had done. Some, to make it look the worse, added, that I had been his chaplain, which was false; and that I had been much obliged to him, though I had never received any real obligation from him, but had done him great services, for which I had been very unworthily requited. Yet the thing had an ill appearance, as the disclosing what had passed in confidence: though I make it a great question how far even that ought to bind a man, when the designs are very wicked, and the person continued still in the same post and capacity of executing them. I have told the matter as it was, and must leave myself to the censure of the reader. My love to my country, and my private friendships, carried me perhaps too far; especially since I had declared much against clergymen meddling in secular affairs, and yet had run myself so deep in them.

This broke me quite with the court, and in that respect proved a great blessing to me. It brought me out of many temptations: the greatest of all being the kindness that was growing towards me from the duke, which might have involved me into great difficulties, as it did expose me to much censure; all which went off upon this occasion. And I applied myself to my studies and my function, being then settled preacher at the Rolls, and soon after lecturer of St. Clements. I lived many years under the protection of sir Harbottle Grimstone, master of the Rolls, who continued steady in his favour to me, though the king sent secretary Williamson to desire him to dismiss me. He said he was an old man, fitting himself for another world, and he found my ministry useful to him: so he prayed that he might be excused in that. He was a long and very kind patron to me. I continued ten years in that post, free from all necessities; and I thank God that was all I desired. But, since I was so long happy in so quiet a retreat, it seems but a just piece of gratitude that I should give some account of that venerable old man.

He was descended from a long-lived family: for his great-grandfather lived till he was ninety-eight, his grandfather to eighty-six, and his father to seventy-eight, and himself to eighty-two. He had to the last a great soundness of health, of memory, and of judgment. He was bred to the study of the law, being a younger brother. Upon his elder brother's death he threw it up. But falling in love with judge Crook's daughter, the father would not bestow her on him, unless he would return to his studies; which he did with great success. That judge was one of those who delivered his judgment in the exchequer chamber against the ship money, which he did with a long and learned argument †. And sir Harbottle's father, who served in parliament for Essex, lay long in prison, because he would not pay the loan money. Thus both his family and his wife's, were zealous for the interest of their country. In the beginning of the long parliament he was a great asserter of the laws; and inveighed severely against all that had been concerned in the former illegal oppression. His principle was, that allegiance and protection were mutual obligations; and that the one went for the other. He thought the law was the measure of both: and that when a legal protection was denied to one that paid a legal allegiance, the subject had a right to defend himself. He was much troubled when preachers asserted a divine right of regal government. He thought it had no other effect but to give an ill impression of them as aspiring men: nobody was convinced by it; it inclined their hearers rather to suspect all they said besides; it looked like the sacrificing their country to their own preferment; and an encouraging of princes to turn tyrants. Yet when the Long parliament engaged in the league with Scotland, he would not swear to the covenant. And he discontinued sitting in the house till it was laid aside. Then he came back and joined with Hollis and the other presbyterians, in a

* Grey, who was a member of the parliament, gives a similar account.

† Sir George Crook at first hesitated, but his wife, a daughter of sir Thomas Bennet, persuaded him nobly to dare to do right, whatever might follow.—Johnson's Life of Selden, 221.

high opposition to the independents, and to Cromwell in particular, as was told in the first book. And he was one of the secluded members that were forced out of the house. He followed afterwards the practice of the law, but was always looked upon as one who wished well to the ancient government of England. So he was chosen speaker of that house that called home the king, and had so great a merit in that whole affair, that he was soon after, without any application of his own, made master of the Rolls: in which post he continued to his death with a high reputation, as he well deserved. For he was a just judge; very slow, and ready to hear everything that was offered, without passion or partiality. I thought his only fault was, that he was too rich: and yet he gave yearly great sums in charity, discharging many prisoners by paying their debts. He was a very pious and devout man, and spent every day at least an hour in the morning, and as much at night, in prayer and meditation. And even in winter, when he was obliged to be very early on the bench, he took care to rise so soon, that he had always the command of that time which he gave to those exercises. He was much sharpened against popery, but had always a tenderness to the dissenters, though he himself continued still in the communion of the church *. His second wife, whom I knew, was niece to the great sir Francis Bacon, and was the last heir of that family. She had all the high notions for the church and the crown, in which she had been bred; but was the humblest, the devoutest, and best tempered person that I ever knew of that sort. It was really a pleasure to hear her talk of religion, she did it with so much elevation and force. She was always very plain in her clothes: and went oft to jails, to consider the wants of the prisoners, and relieve or discharge them; and by the meanness of her dress, she passed but for a servant trusted with the charities of others. When she was travelling in the country, as she drew near a village, she often ordered her coach to stay behind till she had walked about it, giving orders for the instruction of the children, and leaving liberally for that end. With two such persons I spent several of my years very happily. But I now return to the session of parliament.

In the house of commons the business against duke Lauderdale was taken up warmly at three several times; and three several addresses were made to the king against him. The king's answer was, that he would protect no man against law and justice; but would condemn none without special matter well made out. There was no money offered, so addresses were feeble things. The next attempt was against the earl of Danby, who had begun to invert the usual methods of the exchequer. But the majority were for him, so that charge came to nothing. Only those who began it formed a party against him, that grew in conclusion to be too hard for him. He took a different method from those who were in the ministry before him. They had taken off the great and leading men, and left the herd as a despised company, who could do nothing, because they had none to head them But lord Danby reckoned that the major number was the surer game, so he neglected the great men, who he thought raised their price too high; and reckoned that he could gain ten ordinary men cheaper than one of those. This might have succeeded with him if they that did lead his party had been wise and skilful men. But he seemed to be jealous of all such, as if they might gain too much credit with the king. The chief men that he made use of were of so low a size, that they were baffled in every debate. So that many who were inclined enough to vote in all obedience, yet were ashamed to be in the vote on the side that was manifestly run down in the debate †.

The ablest man of his party was Seymour, who was the first speaker of the house of commons that was not bred to the law. He was a man of great birth, being the elder branch of the Seymour family; and was a graceful man, bold and quick: but he had a sort of pride

* To the above character of Sir Harbottle Grimstone nothing can be added; nor does it appear, from other authorities, that anything need be abated. He was born at Bradfield Hall, near Manningtree, in Essex; studied the law at Lincoln's Inn; represented Harwich and Colchester in parliament; and was recorder of the last named town. His other public employments are mentioned in other pages. (Biog. Brit.; Morant's Hist. of Colchester; Wood's Athenæ Oxon.)

† The debates upon the charges against the Earl of Danby are very fully given by Grey, and whoever reads them will probably conclude, as the majority of the house did, that the articles of the proposed impeachment were not substantiated. Marvell, the satirist, says he got off by profuse bribing; but assertion is not proof, and this is altogether wanting in every one of the authorities the editor has consulted upon this subject.

so peculiar to himself, that I never saw any thing like it. He had neither shame nor decency with it. He was violent against the court, till he forced himself into good posts. He was the most assuming speaker that ever sat in the chair. He knew the house, and every man in it so well, that by looking about he could tell the fate of any question. So, if any thing was put, when the court party was not well gathered together, he would have held the house from doing any thing, by a wilful mistaking, or mis-stating, the question. By that he gave time to those who were appointed for that mercenary work, to go about and gather in all their party; and he would discern when they had got the majority. And then he would very fairly state the question, when he saw he was sure to carry it *.

A great many of the court grew to be so uneasy, especially when they saw the king was under the influence of French and popish counsels, that they were glad to be out of the way at critical times. On some occasions they would venture to vote against the court; of which the memorable answer of Hervey's, who was treasurer to the queen, was a noted instance. He was one whom the king loved personally; and yet upon a great occasion he voted against that which the king desired. So the king chid him severely for it. Next day, another important question falling in, he voted as the king would have him. So the king took notice of it at night, and said, you were not against me to-day. He answered, "No, Sir; I was against my conscience to-day." This was so drily delivered, that the king seemed pleased with it: and it was much talked of†. While things went thus in the house of commons, there was the greatest and longest debate in the house of lords, that has been in all my time. They sat upon it often till midnight.

It was about the test that lord Danby had contrived, as was formerly mentioned. Lord Danby, and lord Finch, and some of the bishops, were the chief arguers for it. They said, it was necessary that a method should be found out to discriminate the good subjects from the bad: we had been lately involved in a long civil war, occasioned by the ill principles

* Sir Edward Seymour, the fifth of that name in lineal succession, was born in 1633. From the time of his first appearance in parliament, as a representative of the city of Exeter, he became a very prominent member. In 1667 he was the chief promoter of the Earl of Clarendon's impeachment. In 1673 he was unanimously chosen speaker, on the resignation, for assumed ill-health, of Sir Job Charlton. Immediately afterwards he was made treasurer of the navy, a kind of retainer in the interest of the court, that is not very commendable in the speaker of the popular branch of the legislature. His future career will appear in the course of this work. The last official appointment he enjoyed was that of comptroller of the household to queen Anne. From this he was dismissed in 1704. He still continued to appear in parliament until his death in 1708. He was buried at Maiden Bradley, where there is a very beautiful monument erected to his memory. Grainger's Biog. Dict. vi. 128, ed. 1824.

The earl of Dartmouth has preserved an anecdote of him fully illustrating Burnet's remark upon "his peculiar pride." His coach breaking down near Charing Cross, he ordered the beadles to stop the next gentleman's they met, and bring it to him. The gentleman expostulated at being turned out of his own coach, but sir Edward told him it was more fitting for him to walk in the streets than the speaker of the commons, and left him in that condition without further apology.—Oxford ed. of this work.

Mr. Noble has accurately described him as a man of morose disposition, but of great good sense, invincible obstinacy, and incorruptible integrity; feared more than loved, and respected more than esteemed. The wags were pleased when they could annoy this impersonation of pride and haughtiness. One gave him a petition of no moment, to present to the house; Seymour took it from his pocket with his accustomed gravity, and putting on his spectacles, began to read:—"The humble petition of Oliver Cromwell—the devil!" The laugh was so loud and long, that the old man, throwing down the paper, hastened from the house, confused and in wrath at the insult to his dignity. Every Englishman, though he laughs at his peculiarities, must love his virtues, and venerate him as the man to whom we are principally indebted for the Habeas Corpus Act. Temperate in the use of wealth, he was frugal, yet liberal in his expenditure; nor did he enrich himself and his family as he might have done. Proud of his ancestry, and haughty as he was, yet he would not accept a barony from queen Anne; but he permitted the eldest son of his second marriage to take the title of Conway, whose descendants now possess one of the old Seymour titles, the marquisate of Hertford. In private life he was worthy, if not amiable; true to his two wives: and to his children careful, if not kind; to his tenants and attendants a good, though not bountiful landlord and master. His eldest son and heir, sir Edward Seymour, was father of Edward, the eighth duke of Somerset, who succeeded to this title by the extinction of the male descendants of the first duke, the protector Somerset, by his second marriage; who, to gratify the inordinate pride of his second wife, procured his title to go *to her* posterity; but she "condescended" that the children of his first marriage should be placed in the limitation, which, after two hundred years, now reverted to them.—Noble's Continuation of Grainger, ii. 169.

† John Hervey was the eldest son of sir William Hervey, of Ickworth, in Suffolk. In the reign of the first Charles, he appeared both in parliament and in the field on the side of the prerogative. In the reign of the second Charles, he was treasurer and receiver-general to the queen. Throughout his life he was a leading member in the house of commons. He was learned and accomplished, and would deserve respect if he had no other merit than being the friend and patron of the poet Cowley. He died in 1679, and, having no issue, his property descended to his brother Thomas, father of the first earl of Bristol.—Grainger's Hist. v. 106.

that some had taken up with relation to government: it was fit to prevent the return of such miseries. The king had granted a very full indemnity, and had observed it religiously; but there was no reason, while so much of the old leaven still remained, to leave the nation exposed to men of such principles: it was not fit to make a parliament perpetual; yet that was a less evil than to run the hazard of a bad election, especially when jealousies and fears had been blown about the nation: a good constitution was to be preserved by all prudent methods. No man was to be pressed to take this test; but, as they, who were not willing to come into such an engagement, ought to have the modesty to be contented with the favour and connivance of the government, so, if that did not teach them good manners, it might be fit to use severer methods. To all this great opposition was made. It was plain, the duke did not like it; but the king was so set on it, that he did not declare himself against it: but all the papists were against it. They thought the bringing any test in practice would certainly bring on one that would turn them out of the house. The lords Shaftesbury, Buckingham, Hollis, Halifax, and all those who were thought the country party, opposed this mightily. They thought there ought to be no tests beyond the oath of allegiance, upon the elections to parliament; that it being the great privilege of Englishmen, that they were not to be taxed but by their representatives; it was therefore thought a disinheriting men of the main part of their birthright, to do any thing that should shut them out from their votes in electing: all tests in public assemblies were thought dangerous, and contrary to public liberty; for if a parliament thought any law inconvenient for the good of the whole, they must be supposed still free to alter it; and no previous limitation could bind up their legislature. A great deal was said, to shew that the peace of the world was best secured by good laws, and good government; and that oaths or tests were no security: the scrupulous might be fettered by them, yet the bulk of the world would boldly take any test, and as boldly break through it; of which the late times had given large proofs. The matter of this test was very doubtful; for, though generally speaking, the king's person and his power were not to be distinguished, yet that was not universally true: an infant king, or a lunatic, were exceptions; as also a king in his enemies' hands, which was the case of Henry the Sixth, for whose power his own party fought even against his person: so an exception was to be understood; otherwise the proposition, that affirmed it was a traitorous position to separate them, was not true; nor could it be reasonable to bind up men against alterations: every new law was an alteration; it was not easy to define how far the power of making alterations might go, and where it must stop. These things were best left at large. Upon the whole matter, as they were against any parliamentary test, so they were more particularly against this. Lord Shaftesbury distinguished himself more in this session than ever he had done before. He spoke once a whole hour, to shew the inconvenience of condemning all resistance upon any pretence whatsoever. He said, it might be proper to lay such ties upon those who served in the militia, and in corporations, because there was still a superior power in parliament to declare the extent of the oath: but it might be of very ill consequence to lay it on a parliament, since there might be cases, though so far out of view, that it was hard to suppose them, in which he believed no man would say it was not lawful to resist. If a king would make us a province, and tributary to France, and subdue the nation by a French army, or to the papal authority, must we be bound in that case tamely to submit? Upon which he said many things, that did cut to the quick. And yet, though his words were watched, so that it was resolved to have sent him to the Tower if any one word had fallen from him that had made him liable to such a censure, he spoke both with so much boldness and so much caution, that though he provoked the court extremely, no advantage could be taken against him. The court carried every question in favour of the test, though with great opposition, and a protestation made upon every step that was carried. So that the bill was in a fair way to have passed; and very probably it would have passed in the house of commons, when by an unlooked-for emergency the session was broken.

Ever since the end of king James the First's reign, petitions of appeal were brought to the house of lords from decrees in chancery. This rose from a parity of reason, because writs of error lay from the courts of law to the house of lords; and since the business of the chancery grew to be so extended and comprehensive, it was not thought safe to leave it

wholly to the lord chancellor's conscience. So this practice, though so lately begun, grew on by degrees to be the main business of the house of lords. A petition of appeal was brought against a member of the house of commons *. The lords received it, and made an order upon it. The member being served with it, brought it into the house of commons; and they voted it a breach of privilege for the lords to meddle with one of their house. The lords on the other hand said, they were bound to do justice to all; and no privilege could lie against that; and, since they never sat but when the commons sat likewise, if a privilege from that house could stop their proceedings, there must be a failure in justice; and, since no privilege was ever pretended in the case of a writ of error, it could not lie against an appeal: so they resolved to proceed in the cause. The commons passed a vote against any lawyers that should plead at the lords' bar in this cause; but the lords commanded the counsel to go on, with which they complied. And as they went from the lords' bar, they were by an order from the house of commons sent to the Tower. But they were by another order from the lords set at liberty. So the two houses being as it were at war, it was necessary to put an end to the session.

This was very uneasy to the court; for they saw it was a very sure method to break a session of parliament, every time that it was taken up. I am not sure if this was laid, or if it happened by accident. Lord Shaftesbury said, it was laid by himself †; but others assured me, it happened in course, though it produced great effects: for there never was a strength in the court to raise this debate of the test in any subsequent session. And as this made the court apprehend they might by the prosecution of the same appeal lose the next session, since the prorogation did only discontinue parliamentary proceedings, but not judiciary ones; so they feared this might go so far as to force a dissolution of the present parliament; to which the court would be very hardly brought, after they had practised so long upon the members, and knew them all so well.

In this session, on a day that grievances were to be gone upon, Grimstone said, that considering the extent of privilege, he looked on a standing parliament as the greatest grievance of the nation; so many men being exempted from justice, and from the demands of their creditors, for so long, and so indefinite a time. This motion was let fall at that time; but it was not forgotten: and it was likely to be taken up when new opportunities should be offered. The summer went over without any considerable accidents at home.

A new session met next winter; and at the first opening it, the king laid before the commons the great difficulties he was in by the anticipations of his revenues. It was then generally thought, that the king was in such straits, that, if money could not be obtained, he must turn to other counsels, and to other ministers. The debate went high in the committee of the whole house. It was offered on the one side to shew, that the king had not enough in his hands to maintain the government, and to secure the nation, though our neutrality at that time made trade flow in upon us, so that the customs rose higher than ever. On the other hand it was said, that if anticipations were once admitted as a reason for a supply, the court would never want that reason. It was fitter to examine by whose means, or on what design, those anticipations were made. At last the question was put; and, the vote being then stated, and the previous question being then put, whether the main question should be then put, or not, the votes were equal. So sir Charles Harbord, who was in the chair, gave it for putting the main question: but, some of the country side coming in between the two questions, the main question was lost by two or three; so near was the court to the carrying so great a point. Harbord was much blamed for his rashness. He said, the duty of the chair was always to set matters forward; and so he ought to have given it for putting the main question; and if the same equality had continued, he said, he would have given it for the court. He was a very rich and covetous man, who knew England well; and his parts were very quick about him in that great age, being past eighty. A lively repartee was made by his own son to him in the debate. He had said, the right way of dealing with the king, and of gaining him to them, was, to lay their hands on their purses,

* It was brought by a Dr. Thomas Shirley against Sir John Fagg. See the proceedings in Grey's Debates, iii. 139—289

† Marvell considered "that the commons were not in earnest in the affair, but that some crafty members blew the coals to prevent the Test Act coming among them."

and to deal roundly with him. So his son said, he seconded his motion: but he meant that they should lay their hands on their purses, as he himself did, and hold them well shut, that no money should go out of them *. The earl of Danby was much disappointed at this; yet he took heart, since it was brought so near, that he reckoned he would make the next session sure. The petition of appeal, that had broken the former session, was now brought on again before the lords. The court tried their whole strength to keep it off, till they saw what might be expected from the commons. So, upon the miscarriage of the great vote in the house of commons, the lords went on upon the petition; and, the commons opposing them vigorously, as before, it was visible that the parliament must be prorogued.

Upon this it was proposed in the house of lords to address the king for dissolving the present parliament. It was manifest the two houses could no longer maintain the correspondence that was necessary. In a new parliament this must fall to the ground; but it could not while this lasted. It was said, a standing parliament changed the constitution of England. The king did no more consult with his people, nor know them; but he had now a cabal of single persons to deal with. The people were now cut off from their liberty of electing, and so had no more a true representative. It was said, that a parliament of a long continuance would be either an engine to sell the liberties of their country, or would, by rendering themselves popular, join with the people against the crown. In either case it was likely to be destructive to the constitution. So it was moved, that an address should be made to the king for dissolving the parliament; and, to the wonder of all men, the duke joined in it. The majority of the temporal lords were for it; but the bench of bishops was against it: and so it was not carried. The thing became the universal subject of discourse. It was infused into the members of the house of commons, that, if they would not be more tractable, and help the king out of his necessities, he was sure a new parliament would give him money, and make him easy; and that the rather for having dissolved them. This wrought on many of them, who had been chosen while the nation was in a fit, or rather a fury of loyalty. They knew they could never hope to be chosen again. Many of them were ruined in their fortunes, and lived upon their privileges, and upon their pensions. They had got it among them for a maxim, which contributed not a little to our preservation while we were in such hands, that, as they must not give the king too much at a time, lest there should be no more use for them, so they were to take care not to starve the court, lest they themselves should be starved by that means. They were indeed generally both against popery and France: and, to redeem their credit for the money that they were ready to give somewhat too lavishly, they said, when they went into their countries, that it was on design to fix the king to an English interest, and the protestant religion. And they had talked so high on those heads, that the court itself could not manage them, when any thing relating to these came before them. Some of them were high for the prerogative; others high for the church; and all the mercenary men were careful of themselves. In opposition to these a great party was formed, who declared more heartily for the protestant religion, and for the interest of England. The duke of Buckingham, and the earl of Shaftesbury, opened many of their eyes, and let them know the designs of the court. And indeed they were then so visible, that there was enough seen, without such secret intelligence, to convince the most incredulous. Sir William Coventry had the greatest credit of any man in the house. He never meddled personally with any minister. He had a perfect understanding of affairs. So he laid open the errors of the government with the more authority, because he mixed no passion nor private resentments with it. His brother † usually answered him with much life in a repartee, but not with the weight and force with which he spoke. Colonel Birch was a man of a peculiar character; he had been a carrier at first, and retained still, even to an affectation, the clownishness of his education. He got up in the progress of the war to be a colonel, and to be concerned in the excise; and at the Restoration he was found to be so useful in managing the excise, that he was put in a good post. He was the roughest and boldest speaker in the house, and talked in the language and phrases of a carrier, but with a beauty and eloquence that was always acceptable. I heard Coventry say, he was the best

* Grey, who was a member, relates this repartee as being made the previous session, and that its utterer was Sir Thomas Meres.—Grey's Debates, ii. 35.

† Mr. Henry Coventry, secretary of state.

speaker to carry a popular assembly before him that he had ever known. He spoke always with much life and heat; but judgment was not his talent *. Waller was the delight of the house; and even at eighty he said the liveliest things of any among them; he was only concerned to say that which should make him be applauded: but he never laid the business of the house to heart, being a vain and empty, though a witty, man. He deserves the character of being one of the great refiners of our language and poetry. He was for near sixty years one of the best of all our writers that way †. The two men of quality that were the most considered were, the lord Russell and the lord Cavendish. Lord Russell was a man of great candour, and of a general reputation; universally beloved, and trusted; of a generous and obliging temper. He had given such proofs of an undaunted courage, and of an unshaken firmness, that I never knew any man have so entire a credit in the nation as he had. He quickly got out of some of the disorders into which the court had drawn him; and ever after that his life was unblemished in all respects. He had from his first education an inclination to favour the non-conformists; and wished the laws could have been made easier to them, or they more pliant to the law. He was a slow man, and of little discourse; but he had a true judgment, when he considered things at his own leisure. His understanding was not defective; but his virtues were so eminent, that they would have more than balanced real defects, if any had been found in the other ‡. Lord Cavendish, afterwards earl, and then duke, of Devonshire, was too much a libertine both in principle and practice. He went off from the court at first upon resentments for some disappointments there. He was ambitious, and had the courage of a hero, with an unusual proportion both of wit and knowledge. He had a great softness in his exterior deportment §. Littleton and Powle were the

* Colonel Birch had a coarse but ready wit, with which he retorted without distinction upon all assailants. Sir Edward Seymour, or Mr. Coventry, in the course of a debate, reflected upon his former occupation of a carrier: Birch replied with justifiable contempt, "It is very true, as that gentleman says, I *once* was a carrier; and let me tell that gentleman it is very fortunate for him that he never was a carrier, for if he had he would have been a carrier *still*." Charles the Second being displeased with one of the colonel's motions in the house, told him that he remembered forty-one; to which the colonel replied, that also he remembered forty-eight.—Oxford ed. of this work.

† Edmund Waller was excellent as a poet, wit, and orator; but he was not a worthy, honourable man. He was inconsistent in his public conduct, changing whenever it appeared to his interest—lauding in verse the two Charleses and Cromwell, plotting against the parliament, and thinking no sacrifice of his friends, his dignity, or his purse too great to save his life when the confederacy was discovered—wealthy, yet extremely parsimonious—and the most servile flatterer possible. His memoir by Dr. Johnson, in his "Lives of the Poets," exhibits him in his true character. He was born in 1605, and died in 1687. He wrote a "Panegyric" upon Cromwell; and a "Congratulation" to Charles the Second. The first is by much the most excellent composition; and when the king mentioned to him the disparity, Waller most happily replied—"Poets, Sire, succeed better in fiction than in truth."

‡ To this character of the proto-martyr of our liberties, lord William Russell, nothing has to be added but that the testimony of those to whom he stood in these several degrees of relationship declare, that he was most exemplary as a son, a husband, and a master. He was the third son of the first duke of Bedford, and born about the year 1641. Although educated in private and under puritanical tutors, he was in early manhood of dissipated habits; but in 1667, he married the admirable Rachael Wriothesley, daughter of the earl of Southampton, and from that hour he reformed. The principal events of his public life will be noticed hereafter; and here it needs only to be mentioned that more ample details of this great and good man may be found in "The Life of Lord W. Russell," by the present Lord John Russell—"Memoirs of Lady Russell, with her Letters, &c."

§ It would give us just ground to esteem William Cavendish, first duke of Devonshire, if it was simply said that he was the intimate friend of lord William Russell. He was born in 1640. When only just twenty-one years old, he was chosen one of the representatives of the county of Derby, and continued a member of that long parliament until it was dissolved. It appears, as is rather too generally observed by Burnet, he was much addicted to women and wine. His courage was beyond all doubt. He served as a volunteer on board the fleet with distinguished honour in 1665; and in 1669, when at the opera in Paris, he struck one of three French officers who insulted him upon its stage. They all attacked him with their swords, and though he fought them most courageously, they severely wounded, and probably would have killed him, if a sturdy Swiss servant had not thrown him over into the pit. The officers were imprisoned, but at his particular request they were discharged. In a letter to him from Sir W. Temple, it is said, that his assailants amounted to seven or eight, "which would never have been done in any other place but France."—Kennet's Memoirs of the Cavendishes; Sir W. Temple's Works, ii. 180, fol. He was a most accomplished, elegant, and talented man; uniting the rarely conjoined qualities of brilliant wit and sound judgment. His public services will be frequently noticed in the following pages, and support the character he drew of himself in the inscription he ordered to be placed upon his monument.

WILLIELMUS DUX DEVON,
BONORUM PRINCIPUM FIDELIS SUBDITUS
INIMICUS ET INVISUS TYRANNIS.

'William, duke of Devonshire, the faithful subject of good princes, the enemy to, and hated by, tyrants."

He died in 1707. It was during his life that the magnificent house at Chatsworth attained its splendour. Marshal Tallard passed some part of his captivity here, and upon leaving it, told the duke, that when in future days he computed the time he was a captive in England, he should not reckon his days of enjoyment at Chatsworth.

men that laid the matters of the house with the greatest dexterity and care. Powle was very learned in precedents, and parliament journals, which goes a great way in their debates; and, when he had time to prepare himself, he was a clear and strong speaker. Littleton was the ablest and the most vehement arguer of them all. He commonly lay quiet till the end of a debate; and he often ended it, speaking with a strain of conviction and authority, that was not easily resisted. I lived the very next door to him for several years, and we spent a great deal of our time every day together. He told me all their management; and commonly, when he was to put his whole strength to argue any point, he used to talk it over with me, and to set me to object all that I could against him. He lived wholly in London. So matters were most in his hands during the intervals of parliament: and by his means it was, that I arrived at such knowledge of their intrigues. He was a wise and worthy man, had studied much modern history, and the present state and interest of Europe. Sir Thomas Lee was a man that valued himself upon artifice and cunning, in which he was a great master, without being out of countenance when it was discovered. Vaughan, the chief justice's son, was a man of great integrity, had much pride, but did great service. These were the chief men that preserved the nation from a very deceitful and practising court, and from a corrupt house of commons. And by their skill and firmness they, from a small number who began the opposition, grew at last to be the majority.

All this I thought fit to lay together, and to fill as it were an empty place in my history; for, as our main business lay in preparing for, or managing a session of parliament, so we had now a long interval, of above a year, between this session in winter 1675, and the next session of parliament, which was not till the spring in 1677. The French were much set on procuring a peace: and they, seeing how much the parliament was set on engaging the king in the alliance, prevailed with him to discontinue the session, for which no doubt he had round sums of money sent to him.

About this time Lockhart, the ambassador in France, died. The farther he saw into the designs of the court, he grew the more uneasy in the post he was in, though he acted in it with great spirit and resolution, both with relation to his own master, and to the French king; of which I will set down two passages, that may be very instructive to ambassadors. In this time of neutrality, the French privateers took many English ships, pretending they were Dutch, only with English passes. One of these was taken by a privateer, that, as was believed, Pepys *, then secretary to the English admiralty, and in great favour with the duke, had built; and, as was said, out of the king's stores. The merchants proved in council, that the ship was English. So Lockhart had an order to demand her; and he pressed it so effectually, that an order was sent from the court of France to discharge her: but before that was executed, the king was prevailed on by Pepys, to tell the French ambassador, that he did not concern himself in that ship: he believed merchants were rogues, and could bring witnesses to prove whatsoever they had a mind to: so the court of France might do what they pleased in that matter. This was written to Versailles a day or two after the former order was sent; but upon it a new one went to Dunkirk, where the ship lay, to stop her. This came before she could get out. So Lockhart, being informed of that, went to court, and complained heavily. He was told what the king himself had said about it: he answered resolutely, that the king spoke to them only by him. Yet he wrote upon this to the court of England, desiring to be recalled, since he could serve no longer with honour, after he had been so disowned. Upon this the king wrote him a letter with his own pen, excusing the matter the best he could, and justified him in what he had done. And upon that secret orders were sent, and the ship was discharged. The other was a higher point, considering the bigotry of the king of France. Lockhart had a French Popish servant, who was dying, and sent for the sacrament: upon which it was brought with the procession ordinary in such cases. Lockhart, hearing of this, ordered his gates to be shut: and upon that many were inflamed, and were running to force his gates; but he ordered all his family to stand to their arms, and, if any force was offered, to fire. There was a great noise made of this; but no force was offered. He resolved to complain first, and so went to court, and expostu-

* This was Mr. Samuel Pepys, whose very valuable and interesting "Diary" has lately been published.

lated upon it. He said his house was his master's house; and here a public triumph was attempted on his master's religion, and affronts were offered him: he said, if a priest had brought the sacrament privately, he would have connived at it; but he asked reparation for so public an injury. The king of France seemed to be highly displeased at this, calling it the greatest indignity that had ever been done to his God during his reign. Yet the point did not bear arguing; so Lockhart said nothing to that. When Lockhart went from him, Pomponne followed him, sent after him by the king, and told him, he would force the king to suffer none of his subjects to serve him. He answered, he would order his coachman to drive the quicker to Paris, to prevent that; and left Pomponne to guess the meaning. As soon as he came to his house, he ordered all his French servants to be immediately paid off, and dismissed. The court of England was forced to justify him in all this matter. A public letter of thanks was written to him upon it; and the court of France thought fit to digest it; but the French king looked on him ever after with great coldness, if not with aversion. Soon after that he fell into a languishing, which after some months carried him off. I have ever looked on him as the greatest man that his country produced in this age, next to sir Robert Murray.

The earl of Danby began now to talk against the French interest with open mouth. Rouvigny stayed but two years in England; for, though he served his master's interests but too well, yet the Popish party could not bear the want of a chapel in the French ambassador's house; so he was recalled, and Courtin was sent in his room. Before he parted, he talked roundly with lord Danby: he said he was going into popular interests against those of his master's honour, who having engaged the king of France in the war, and being forced to leave him to fight it out alone, ought not to turn against him; especially, since the king of France referred every thing to him as the arbiter and mediator of the peace: he remembered him of the old duke of Buckingham's fate, who thought to become popular by breaking the Spanish match; and it was his ruin. He said the king of France was the king's best friend, and truest ally; and if he made the king forsake him, and depend on his parliament, being so tempered as they were then, both the king and he might come to repent it, when it was too late: I had all this from himself. To this lord Danby replied, that he spoke as a faithful servant to his own master, and that he himself would act as a faithful servant to his master. Courtin spoke a great deal to the same purpose, in the prince of Condé's presence, when I had the honour to wait on him. He told me there was a strange reverse in things: lord Danby was at that time suffering for being in the French interest; and lord Montague was popular as being against it: whereas, to his knowledge, during his employment in England, lord Danby was an enemy to their interest, as much as lord Montague was for it. I can say nothing as to one point, whether any great sums came over from France all this while, or not. Some watched the rising and falling of the exchange, by which men skilful in those matters can judge, when any great sum passes from one kingdom to another, either in specie, or by bill: but they could never find out anything to make them conclude it was done. Lord Montague told me he tried often to get into that secret, but in vain: he often said to the king, that, if he would trust him, he could make better bargains for him, than others had made; but the king never answered him a word on that head; and he believed, that what sums soever came over, they were only to the duchess of Portsmouth, or to the king's privy purse; and that the French ambassador had the sole managing of that matter, the king perhaps not being willing to trust any of his own subjects with so important and so dangerous a secret. In all companies the earl of Danby was declaring openly against France, and Popery; and the see of London falling then void by Henchman's death, he brought Compton, brother to the earl of Northampton, to succeed him. He was made bishop of Oxford upon Crew's being promoted to Duresme (Durham).

Compton carried arms for some years. When he was past thirty, he took orders. He was an humble and modest man. He applied himself more to his function than bishops had commonly done. He went much about his diocese, and preached, and confirmed in many places. His preaching was without much life or learning; for he had not gone through his studies with the exactness that was fitting. He was a great patron of the converts from

Popery, and of those protestants, whom the bad usage they were beginning to meet with in France drove over to us; and by these means he came to have a great reputation. He was making many complaints to the king, and often in council, of the insolence of the papists, and of Coleman's in particular; so that the king ordered the duke to dismiss Coleman out of his service: yet he continued still in his confidence. But with these good qualities Compton was a weak man, wilful and strangely wedded to a party. He was a property to lord Danby, and was turned by him as he pleased. The duke hated him; but lord Danby persuaded both the king and him, that, as his (Compton's) heat did no great hurt to any person, so the giving way to it helped to lay the jealousies of the church party. About a year after that, Sheldon dying, Compton was persuaded that lord Danby had tried with all his strength to promote him to Canterbury, though that was never once intended. There were none of the order that were in any sort fitted to fill that see, whom the court could trust *.

Sancroft, dean of St. Paul's, was raised to it. He was a man of solemn deportment, had a sullen gravity in his looks, and was considerably learned. He had put on a monastic strictness, and lived abstracted from company. These things, together with his living unmarried, and his being fixed in the old maxims of high loyalty, and a superstitious valuing of little things, made the court conclude, that he was a man who might be entirely gained to serve all their ends; or, at least, that he would be an unactive, speculative man, and give them little opposition in anything that they might attempt when they had more promising opportunities. He was a dry, cold man, reserved, and peevish; so that none loved him, and few esteemed him: yet the high church party were well pleased with his promotion.

As lord Danby thus raised his creatures in the church, so he got all men turned out of their places that did not entirely depend on him; and went on in his credit with the king, still assuring him, that, if he would leave things to his conduct, he would certainly bring about the whole cavalier party again to him. And such was the corruption and poverty of that party, that, had it not been that French and popish counsels were so visible in the whole course of our affairs, he had very probably gained them to have raised the king's power, and to have extirpated the dissenters, and to have brought things very near to the state they were in, in king Charles the First's time, before the war.

All this while the papists were not idle. They tried their strength with the king to get the parliament dissolved; in which their hopes carried them so far, that Coleman drew a declaration for justifying it. Their design in this was, once to divide the king and his people; for they reckoned the new parliament would not be so easy to him as this was. For how angry soever this was at him, and he sometimes at them, yet they saw that a severe act against popery, or some steps made against France, would dispose them to forget all former quarrels, and to give money: and as the king always wanted that, and loved to be easy, so the prospect of it was ever in his view. They feared, that at some time or other, this might make him both sacrifice Popery, and forsake France. So they took all possible methods to engage the king to a more entire dependence on France, and to a distrust of his own people. They were labouring for a general peace in all courts where they had any interest. The prince of Orange's obstinacy was the common subject of their complaints. Lord Shaftesbury tried, upon the duke's concurring in the vote for an address to have the parliament dissolved, if he could separate him from the earl of Danby: and he sent a message to him by the lord Stafford, that his voting as he did in that matter had gained much on many who were

* It will be necessary here to give no more of Dr. Henry Compton's life than that part which preceded this year, as his future conduct will be mentioned in subsequent pages. He was the youngest son of the second earl of Northampton, and born in 1632. He was a member of both the universities. He inherited the courageous spirit of his father, who died in the field for Charles the First. He was only ten years old when the battle of Edge-hill was fought, and was, for the sake of security, in the royal camp during that bloody day. After the Restoration he accepted a cornetcy in a regiment commanded by the earl of Oxford, but soon deserted the profession of arms for the church. In this he rapidly obtained preferment. In 1674 he was promoted to the see of Oxford, and further to that of London, in 1676, as mentioned in the text. He was emphatically known in that time of struggle between the papists and the church of England, as "*the Protestant bishop*," a sobriquet that sufficiently expressed the public opinion as to the inclinations and faithfulness of some of his episcopal brethren. He was the tutor of the princesses Mary and Anne, and by him they were confirmed and married. For a lengthened life of this worthy man, the reader may consult Kippis's Biograph. Britan.; Wood's Athenæ Oxon.; and Salmon's Lives of the English Bishops.

formerly his enemies; he wished he would use his interest with the king to get that brought about; and he durst undertake that a new parliament should be more inclinable to grant the papists a toleration, than they would ever find this would prove.

But the duke and lord Danby were too firmly united to be easily divided; for whatever lord Danby gave out, he made the duke believe, that all that he intended would really turn to his service. Coleman was very busy in writing many letters to all places, but chiefly to the court of France. He was in all his despatches setting forth the good state of the duke's affairs, and the great strength he was daily gaining. He was either very sanguine, if he believed this himself, or very bold in offering to impose it so positively on others. He was always full of assurances, that, if a peace could be brought about, so that the king of France was set at liberty to assist them with his purse, and his force, they were never in such hopes of succeeding in the great design of rooting out this pestilent heresy, that had so long overrun these northern kingdoms, as now. He had a friend, one sir William Throgmorton, of whom he intended to make great use. He and his wife had prevailed with him and his lady to change their religion; and so he sent them over to France, recommending him to the king's confessor, F. Ferrier, as a man that might do them great service, if he could be made one of theirs. So Ferrier, looking on him as a man of importance, applied himself to turn him, which was soon done: and the confessor, to raise the value of his convert, spoke of him to the king in such a strain, that he was much considered. When his lady abjured, the duke of Orleans led her up to the altar. He took great state on him, and soon spent all he had. He was a busy man between the two courts; but, before he got into any considerable post, Ferrier died, and the new confessor did not take such care of him as his predecessor had done: so he was forced to quit his high living, and retire to a private house. And he sent his lady into a monastery; yet he continued still to be Coleman's agent, and correspondent. He went often to see an English lady, that was of their religion, lady Brown; and being one day with her, he received a deep wound by a knife struck into his thigh, that pierced the great artery. Whether the lady did it to defend herself, or he to show the violence of his passion, was not known; it was not possible to stop the bleeding: yet the lady would have him carried out of her house. He died in the house of one Hollman, an eminent man of their religion, then at Paris. The whole matter was carried off in such secrecy, that Lockhart, then at Paris, could never penetrate farther into it. I had this from his lady after his death.

Coleman quickly found out another correspondent that was more useful to him than he whom he lost could ever have been, F. St. German, a Jesuit, who was sent over with the duchess, and passed for her confessor, though I have been assured that was a mistake. He had all the heat of his order in him, and was apt to talk very boldly. I was sometimes in company with him. He was complained of in council by the bishop of London, for some practice on one that was come over a convert, whom he was between threatening and persuasion working on, in order to the sending him back. This came to be discovered. Upon which he fled; and on him Coleman fixed for his chief correspondent. Howard was about this time by cardinal Altieri's means promoted to be a cardinal; and upon that the king and duke sent compliments to Rome. This opened a negotiation with that court, that was put in the hands of the internuncio at Brussels. So it was proposed that a sum of money should be given the king, if in return of that some suitable favours for those of their religion could be obtained. Coleman was sent over by the duke to Brussels, to treat about it, none being in the secret but the lord Arundel. Yet, as he understood it, the king himself knew of it. When he went thither, he found the sum offered was so small, and the conditions demanded were so high, that he made no progress in the negotiation. Whatsoever Coleman did in the main business, he took good care of himself. All his letters were full of their being able to do nothing for want of money; and he made the French ambassador believe, he could do his master great service if he was well supplied. He got once 2,500 guineas from him, to gain his master some friends; but he applied it all to furnish out his own expense. He was at that time so lifted up, that he had a mind to pass for the head of the party: and of this I will give one instance in which I myself had a share.

Sir Philip Terwhit, a papist, had married a zealous protestant, who suspecting his religion, charged him with it: but he denied it before marriage, and carried that so far, that he received

the sacrament with her in her own church. After they were married, she found that he had deceived her; and they lived untowardly together. At this time some scruples were put in her head, with which she acquainted me, and seemed fully satisfied with the answers that I gave her. She came afterwards to me, and desired I would come to her house, and talk of all those matters with some that her husband would bring to meet us. I told her I would not decline the thing, if desired, though I seldom knew good come of such conferences. She made the same proposition to Dr. Stillingfleet, and he gave the same answer. So a day was set, and we went thither, and found ten or twelve persons, that were not known to us. We were scarcely set down, when Coleman came in, who took the whole debate upon him. I wrote down a very exact account of all that passed, and sent it to them, and had their additions to it; and I printed it. The thing made a great noise, and was a new indication of Coleman's arrogance. Soon after that the lady, who continued firm upon this conference, was possessed with new scruples about the validity of our ordinations. I got from her the paper that was put in her hand, and answered it; and she seemed satisfied with that likewise: but afterwards the uneasiness of her life prevailed more on her than her scruples did, and she changed her religion.

Some time after I had printed the "Memoirs of the Dukes of Hamilton," which were favourably received, the reading of these got me the acquaintance and friendship of sir William Jones, then attorney-general. He was raised to that high post merely by merit, and by his being thought the greatest man of the law; for, as he was no flatterer, but a man of a morose temper, so he was against all the measures that they took at court. They were weary of him, and were raising sir John King to vie with him; but he died in his rise, which indeed went on very quickly. Jones was an honest and wise man. He had a roughness in his deportment that was very disagreeable, but he was a good-natured man at bottom, and a faithful friend. He grew weary of his employment, and laid it down; and though the great seal was offered him, he would not accept of it, nor return to business. The quickness of his thoughts carried his views far. And the sourness of his temper made him too apt both to suspect and to despise most of those that came to him. My way of writing history pleased him, and so he pressed me to undertake the history of England. But Sanders's book, that was then translated into French and cried up much in France, made all my friends press me to answer it, by writing the history of the Reformation. So now all my thoughts were turned that way. I laid out for MSS. and searched into all offices. I got for some days into the Cotton library. But duke Lauderdale hearing of my design, and apprehending it might succeed in my hands, got Dolben, bishop of Rochester, to divert sir John Cotton from suffering me to search into his library. He told him I was a great enemy to the prerogative: to which Cotton was devoted, even to slavery. So he said I would certainly make an ill use of all I had found. This wrought so much on him, that I was no more admitted, till my first volume was published. And then, when he saw how I had composed it, he gave me free access to it *.

At this time the earl of Essex was brought over from being lord-lieutenant of Ireland, whose friendship to me was afterwards such, that I think myself obliged to stop, and to give some account of him. He was the lord Capel's son. His education was neglected by

* Of these two works of our author, his son observes, "As the apprehensions of popery grew daily stronger, the most eminent divines of the church of England signalised themselves in the Romish controversy; nothing of that kind was more taken notice of, than the account our author printed in the year 1676, of a conference, which himself and Dr. Stillingfleet were engaged in with Coleman and the principal of the Romish priests. This made him considered as one who stood in the very front of the opposition to popery. His reputation upon that account was soon after raised to the highest pitch, by that great performance, The History of the Reformation; in which, as he took a method wholly new, so was it universally applauded. The first volume lay nearly a year, after it was finished, for the perusal and correction of friends; so that it was not published till the year 1679, when the affair of the Popish Plot was in agitation. This book procured our author an honour, never before or since paid to any writer; he had the thanks of both houses of parliament, with a desire that he would prosecute his undertaking and complete that valuable work. Accordingly, in less than two years after, he printed the second volume, which met with the same general approbation as the first; and such was his readiness in composing, that he wrote the historical part, in the compass of six weeks, after all his materials were laid in order."

The History of the Reformation is one of our national works that have been most generally read, and translated into other languages. It is nervously and accurately written, and, as all historical collectors ought, he particularly details his authorities and references.

reason of the war. But, when he was at man's age, he made himself master of the Latin tongue, and made a great progress in mathematics, and in all the other parts of learning. He knew our law and constitution well, and was a very thoughtful man. He began soon to appear against the court. The king imputed it to his resentments: so he resolved to make use of him. He sent him ambassador to Denmark, where his behaviour in the affair of the flag gained him much reputation; though he said to me there was nothing in it. That King had ordered the governor of Croonenburgh to make all ships that passed strike to him. So when lord Essex was sailing by, he sent to him, either to strike to him, or to sail by in the night, or to keep out of his reach; otherwise he must shoot, first with powder, but next with ball. Lord Essex sent him a resolute answer, that the kings of England made others strike to them, but their ships struck to none; he would not steal through in the dark, nor keep out of his reach; and if he shot at him, he would defend himself. The governor did shoot towards him, but on design shot over him. This was thought great bravery in him: yet he reckoned it was impossible the governor would endeavour to sink a ship that brought over an ambassador. While he was there the king died, which made a great change in the court. For that king had made one of his servants stadtholder; which was indeed a strange thing, he himself being upon the place. He was but a mean person, and was advanced by the favour the queen bore him. Lord Essex's first business was to justify his behaviour in refusing to strike. Now at his going from England sir John Cotton had desired him to take some volumes of his library that related to Danish affairs, which he took, without apprehending that he should have great occasion to use them; but this accident made him search into them. And he found very good materials to justify his conduct; since by formal treaties it had been expressly stipulated, that the English ships of war should not strike in the Danish seas. This raised his character so high at court, that it was written over to him, that he might expect everything he should pretend to at his return. The change of government that he saw in Denmark, and the bringing it about with so little difficulty, made a great impression on him: since one of the freest nations in the world was on a sudden brought under a most arbitrary form of government. Many of the ancient nobility seemed uneasy under the change. And even the chancellor himself, though raised by favour from very mean beginnings, could not forbear to lament even to him the change of their constitution.

Upon his return from Denmark he was made lord-lieutenant of Ireland. He could never understand how he came to be raised to that post, for he had not pretended to it; and he was a violent enemy to popery: not so much from any fixed principle in religion, in which he was too loose, as because he looked on it as an invasion made on the freedom of human nature. In his government of Ireland he exceeded all that had gone before him; and is still considered as a pattern to all that come after him. He studied to understand exactly well the constitution and interest of the nation. He read over all their council books, and made large abstracts out of them to guide him, so as to advance every thing that had been at any time set on foot for the good of the kingdom. He made several volumes of tables of the state, and persons that were in every county and town; and got true characters of all that were capable to serve the public. And he preferred men always upon merit, without any application from themselves; and watched over all about him, that there should be no bribes going among his servants. The revenue of Ireland was then in the earl or Ranelagh's management, who was one of the ablest men that island had bred, capable of all affairs, even in the midst of a loose run of pleasure and much riot. He had the art of pleasing masters of very different tempers and interests so much, that he continued above thirty years in great posts. He had undertaken to furnish the king with money for the building of Windsor out of the revenue of Ireland. And it was believed the duchess of Portsmouth had a great yearly pension out of his office. By this means payments in Ireland were not regularly made. So the earl of Essex complained of this. The king would not own how much he had from lord Ranelagh, but pressed lord Essex to pass his accounts. He answered, he could not pass them as accounts; but, if the king would forgive lord Ranelagh, he would pass a discharge, but not an ill account. The king was not pleased with this, nor with his exactness in that government: it reproached his own too much. So he took a resolution about this time to

put the duke of Ormond in it again. Upon this occasion the earl of Essex told me, that he knew the king did often take money into his privy purse, to defraud his exchequer; for he reckoned that what was carried thither was not so much his own as his privy purse was. And Coventry told lord Essex, that there was once a plantation-cause at the council board, and he was troubled to see the king espouse the worst side; and upon that he went to him, and told him secretly that it was a vile cause which he was supporting; the king answered him, he had got good money for doing it.

About this time there was a proposition made for farming the revenue of Ireland. And lord Danby seemed for some time to favour one set of men, who offered to farm it. But on a sudden he turned to another. The secret of this broke out, that he was to have great advantages by the second proposition. The matter was brought to the council table, and some were examined to it upon oath. Lord Widdrington did confess that he made an offer of a round sum to lord Danby, but said that he did not accept of it. Lord Halifax was yet of the council. So he observed that the lord-treasurer had rejected that offer very mildly, but not so as to discourage a second attempt: it would be somewhat strange, if a man should ask the use of another man's wife, and if the other should indeed refuse it, but with great civility. This nettled lord Danby, who upon that got him to be dismissed from that board; at which the duke was much pleased, who hated lord Halifax at that time more even than the earl of Shaftesbury himself: for he had fallen severely on the declaration for toleration in the house of Lords. He said, if we could make good the eastern compliment, "O king, live for ever," he could trust the king with everything; but since that was so much a compliment that it could never become real, he could not be implicit in his confidence. Thus matters went on all 1676, and to the beginning of 1677, when another session of parliament was held. I have brought within this year several things that may be of use to enlighten the reader as to the state of things, though perhaps of their own nature they were not important enough to deserve to be told. But in so bare a year as this proved to be, it seemed no impertinent digression to bring all such matters into the reader's way.

I shall next give some account of Scotch affairs. The duke of Lauderdale had mastered the opposition made to him so entirely, that men were now silent, though not quiet. The field conventicles increased mightily. Men came to them armed. And upon that great numbers were outlawed; and a writ was issued out, that was indeed legal, but very seldom used, called *Intercommoning;* because it made all that harboured such persons, or did not seize them when they had it in their power, to be involved in the same guilt. By this means many, apprehending a severe prosecution, left their houses, and went about like a sort of banditti, and fell into a fierce and savage temper. The privy council upon this pretended they were in a state of war. And upon an old statute, that was almost quite forgotten, it was set on foot, that the king had a power to take any castle that lay convenient for his forces, and put a garrison in it. So twelve houses were marked out, of which two were the chief dwelling houses of two peers. The rest were the houses of gentlemen that had gone into the party against duke Lauderdale. And though these were houses of no strength, and not at all properly situated for the suppressing of conventicles, yet they were taken. Soldiers were put in them. And the countries about were required to furnish those small garrisons with all things necessary. This was against the express words of the law that had lately settled the militia. Great opposition was made to it. Yet it was kept up above a year, till the houses were quite ruined by the rude soldiers, who understood that the more waste they made, it would be the more acceptable. At last it was let fall.

Another thing happened, scarcely worth mentioning, if it was not for the effects that followed on it. One Carstairs, a loose and vicious gentleman, who had ruined his estate, undertook to Sharp to go about in disguise to see those conventicles, and to carry some with him to witness against such as they saw at them: in which he himself was not to appear, but he was to have a proportion of all the fines that should be set upon this evidence: and he was to have so much for every one of their teachers that he could catch. He had many different disguises, and passed by different names in every one of them. He found Kirkton, an eminent preacher among them, who was as cautious as the rest were bold, and had avoided all suspicious and dangerous meetings. Carstairs, seeing him walking in the streets

of Edinburgh, told him there was a person that was sick and sent him to beg a visit from him. He, suspecting nothing, went with him. Carstairs brought him to his own lodgings, and there he told him he had a warrant against him, which he would execute, if he would not give him money to let him alone. Kirkton said he had not offended, and was willing to go to prison till his innocence should appear. Carstairs really had no warrant; but, as was afterwards discovered, he had often taken this method, and had got money by it. So he went out to procure a warrant, and left Kirkton locked up in his chamber. Kirkton called to the people of the house, and told them how he was trepanned. And he got one of them to seek Baillie of Jerviswood, his brother-in-law, who was a gentleman of great parts, but of much greater virtue. Carstairs could not find nine privy counsellors to sign a warrant, which were the number required by law. Yet, when he came back, he pretended he had a warrant, and would force Kirkton to go to prison upon it. Kirkton refused to obey any such warrant till he saw it. And upon that Carstairs struggled and pulled him to the ground, and sat on him, the other crying out murder. At that time Baillie came to the door, and hearing him cry out, he called to Carstairs to open the door; and that not being done, he forced it, and found Carstairs sitting upon Kirkton. He drew his sword, and made him come off him. He then asked him what warrant he had to use him as he did? He said he had a warrant to carry him to prison; but he refused to show it. Baillie offered to assist in executing it, if he had any; but he persisted in this, that he was not bound to show it. Baillie made Kirkton to go out, and followed him, no violence being used; for which he had many witnesses, whom the noise had brought together. And he said he was resolved to sue Carstairs for this riot. But before the next council day a warrant was signed by nine privy counsellors, but antedated, for the committing of Kirkton, and of six or seven more of their preachers. Lord Athol told me he was one of those who signed it, with that false date to it. So Baillie was cited before the council; Carstairs produced his warrant, which he pretended he had at the time that Kirkton was in his hands, but did not think fit to show, since that would discover the names of others, against whom he was also to make use of it. Baillie brought his witnesses to prove his behaviour; but they would not so much as examine them. It was said, that upon Carstairs saying he had a warrant, Kirkton was bound to go to jail; and that, if it had been found that he was carried thither without a warrant, the jailor would not have received him. Duke Hamilton and lord Kincardine were yet of the council. And they argued long against this way of proceeding, as liker a court of inquisition than a legal goverment. Yet Baillie was fined 500*l.* and condemned to a year's imprisonment. And upon this an occasion was taken to turn duke Hamilton and lord Kincardine out of the council, as enemies to the church, and as favourers of conventicles.

The parliament of England had been prorogued for about a year and some months, by two different prorogations. One of these was for more than a year. So upon that it was made a question, whether by that the parliament was not dissolved. The argument for it was laid thus. By the ancient laws a parliament was to be held "once a-year, and oftener if need be." It was said, the words "if need be," in one act, which were not in another that enacted an annual parliament without that addition, did not belong to the whole period, by which a session was only to be held once a year if it was needful; but belonged only to the word "oftener;" so that the law was positive for a parliament once a year: and if so, then any act contrary to that law was an unlawful act; by consequence, it could have no operation: from whence it was inferred, that the prorogation which did run beyond a year, and by consequence made that the parliament could not sit that year, was illegal; and that therefore the parliament could not sit by virtue of such an illegal act. Lord Shaftesbury laid hold on this with great joy, and he thought to work his point by it. The duke of Buckingham was for everything that would embroil matters. The earl of Salisbury was brought into it, who was a high-spirited man, and had a very ill opinion of the court. Lord Wharton went also into it. And lord Hollis wrote a book for it; but a fit of the gout kept him out of the way. All the rest of the party were against it. They said it was a subtilty, and it was very dangerous to hang so much weight upon such weak grounds. The words, "if need be," had been understood to belong to the whole act; and the long parliament did not pretend to make annual parliaments necessary, but insisted only on a triennial parlia-

ment; if there had been need of a parliament during that long prorogation, the king by proclamation might have dissolved it and called a new one. All that knew the temper of the house of commons were much troubled at this dispute, that was likely to rise on such a point. It was very certain the majority of both houses, who only could judge it, would be against it. And they thought such an attempt to force a dissolution would make the commons do everything that the court desired. Lord Hallifax set himself much against this, and did it not without expressing great sharpness against lord Shaftesbury, who could not be managed in this matter. So, upon the first opening the session, the debate was brought on, and these lords stood against the whole house. That matter was soon decided by a question.

But then a second debate arose, which held for two days, whether these lords were not liable to censure, for offering a debate that might create great distractions in the subjects' minds, concerning the legality of parliament. Lord Hallifax with the rest of the party argued against it strongly. They said, if an idle motion was made and checked at first, he that made it might be censured for it, though it was seldom, if ever, to be practised in a free council, where every man was not bound to be wise, nor to make no impertinent motion; but when the motion was entertained, and a debate followed, and a question was put upon it, it was destructive to the freedom of public councils to call any one to an account for it, they might with the same justice call them to an account for their debates and votes; so that no man was safe unless he could know where the majority would be: here would be a precedent to tip down so many lords at a time, and to garboil the house, as often as any party should have a great majority. It was said on the other hand, here was a design to put the nation into great disorder, and to bring the legality of a parliament into dispute. So it was carried to oblige them to ask pardon as delinquents; otherwise it was resolved to send them to the Tower. They refused to ask pardon, and so were sent thither. The earl of Salisbury was the first that was called on, for the duke of Buckingham went out of the house. He desired he might have his servants to wait on him, and the first he named was his cook; which the king resented highly, as carrying in it an insinuation of the worst sort. The earl of Shaftesbury made the same demand. But the lord Wharton did not ask for his cook. The duke of Buckingham came in next day, and was sent after them to the Tower. And they were ordered to continue prisoners during the pleasure of the house, or during the king's pleasure. They were much visited. So to check that, though no complaint was made of their behaviour, they were made close prisoners, not to be visited without leave from the king, or the house; and particular observations were made of all those that asked leave. This was much cried out on; and the earl of Danby's long imprisonment afterwards was thought a just retaliation for the violence with which he drove this on. Three of the lords lay in the Tower for some months; but they were set at liberty upon their petitioning the king. Lord Shaftesbury would not petition; but he moved in the King's Bench that he might be discharged. The king's justice, he said, was to be dispensed in that court. The court said he was committed by an order from the house of lords, which was a court superior to them; so they could take no cognizance of the matter. Lord Danby censured this motion highly, as done in contempt of the house of lords, and said he would make use of it against him next session of parliament. Yet he was often forced to make the same motion at that bar; and he complained of the injustice of the court for refusing to bail or discharge him, though in that they followed the precedent which at this time was directed by himself*.

* The duke of Buckingham opened the debate in the house of lords in a very able speech, and concluded by moving an address to the king to call speedily a new parliament. It is certain that his arguments were not justly founded, and his observations, upon the king neglecting the dictates of an act of parliament, were bold; but there were no passages in his speech, or in those of the earl of Shaftesbury, the earl of Salisbury, and lord Wharton, that deserved a committal to the Tower. The duke of Buckingham left the house while lord Anglesea was arguing against their imprisonment; but he came into his place the next day, and extricated himself very adroitly, by an excuse that as he saw their lordships intended he should lodge some time in another place, *and as he kept his family with very exact economy*, he had been home to set his house in order, and was now ready to submit to their pleasure. He was then committed as the three other noblemen had been. Shaftesbury was jealous of Buckingham for setting up as the head of his party, and spoke of him as an inconsistent, giddy man. It happened that the latter, with

The debate about the dissolution of the parliament had the effect in the house of commons that was foreseen; for the commons were much inflamed against lord Shaftesbury and his party. They at first voted 600,000*l.* for the building thirty ships: for they resolved to begin with a popular bill. A clause was put in the bill by the country party, that the money should be accounted for to the commons, in hope that the lords would alter that clause, and make it accountable to both houses; which was done by the lords, and conferences were held upon it. The lords thought that, since they paid their share of the tax, it was not reasonable to exclude them from the accounts. The commons adhered to their clause, and the bill was in great danger of being lost. But the king prevailed with the lords to recede. An additional excise, that had been formerly given, was now falling, so they continued that for three years longer. And they were in all things so compliant, that the court had not for many years had so hopeful a session as this was. But all was changed of a sudden.

The king of France was then making one of his early campaigns in Flanders: in which he at first took Valenciennes, and then divided his army in two. He with one besieged Cambray; and the other, commanded by his brother, besieged St. Omer. But, though I intend to say little of foreign affairs, yet where I come to the knowledge of particulars that I have not seen in any printed relations, I will venture to set them down. Turenne's death was a great blow to the king of France *; but not to his ministers, whom he despised, and who hated him. But the king had such a personal regard to him, that they were afraid of opposing him too much. He was both the most cautious and the most obliging general that ever commanded an army. He had the art of making every man love him, except those that thought they came in some competition with him; for he was apt to treat them with too much contempt. It was an extraordinary thing that a random cannon shot should have killed him. He sat by the balance of his body a while on the saddle, but fell down dead in the place: and a great design he had, which probably would have been fatal to the German army, died with him. The prince of Condè was sent to command the army to his great affliction: for this was a declaration that he was esteemed inferior to Turenne, which he could not well bear, though he was inferior to him in all that related to the command; unless it was in a day of battle, in which the presence of mind and vivacity of thought, which were wonderful in him, gave him some advantage. But he had too much pride to be so obliging as a general ought to be. And he was too much a slave to pleasure, and gamed too much, to have that constant application to his business that the other had. He was entirely lost in the king's good opinion: not only by reason of his behaviour during his minority; but, after that was forgiven, once when the king was ill, not without apprehensions, he sent for him, and recommended his son to his care, in case he should die at that time. But he, instead of receiving this as a great mark of confidence, with due acknowledgments, expostulated upon the ill usage he had met with. The king recovered; but never forgot that treatment, and took all occasions to mortify him, which the ministers knew well, and seconded him in it; so that, bating the outward respect due to his birth, they treated him very hardly in all his pretensions.

The French king came down to Flanders in '76, and first took Condé, and then besieged Bouchain. The siege went on in form, and the king lay with an army covering it, when on a sudden the prince of Orange drew his army together, and went up almost to the king's camp, offering him battle. All the marshals and generals concluded that battle was to be given, and that the war would be that day ended. The king heard all this coldly. Schom-

Salisbury and Wharton, were discharged upon their petitions and submissions, whilst Shaftesbury remained, pending his application to the court of King's Bench. He looked from his window in the Tower, as the duke was stepping into his coach, and said, "What! my lord, are you going to leave us?" "Ay, my lord," replied Buckingham, "such giddy fellows as I can never stay long in a place." Burnet is wrong in saying that Shaftesbury refused to petition; he did refuse at first, but eventually in February, 1678, when he had been a few days more than a year in confinement, he sent two petitions to the house, and was consequently discharged.—(Chandler's Hist. of Debates in House of Lords, i. 187. 196; Clarendon Correspondence, i. 6; Rawleigh Redivivus.) The house of commons also determined by their proceedings that they did not consider an illegal prorogation, admitting it to be one, was tantamount to a dissolution.

* Marshal Turenne was killed in July, 1675.—Life by Ramsay.

berg was newly made a marshal, and had got great honour the year before against the prince of Orange, in raising the siege of Maestricht. He commanded in a quarter at some distance. The king said he would come to no resolation till he heard his opinion. Louvoy sent for him by a confident person, whom he ordered to tell him what had happened; and that, in any opinion he was to give, he must consider the king's person. So when he came to the king's tent a council of war was called, and Schomberg was ordered to deliver his opinion first. He said, the king was there on design to cover the siege of Bouchain; a young general was come up on a desperate humour to offer him battle; he did not doubt but it would be a glorious decision of the war; but the king ought to consider his own designs, and not to be led out of these by any bravado, or even by the great hope of success; the king ought to remain in his post till the place was taken; otherwise he suffered another man to be the master of his counsels and actions. When the place was taken, then he was to come to new counsels; but till then he thought he was to pursue his first design. The king said Schomberg was in the right; and he was applauded that day, as a better courtier than a general. I had all this from his own mouth.

To this I will add a pleasant passage, that the prince of Condé told young Rouvigny, now earl of Galloway. The king of France has never yet fought a battle, and has a mighty notion of that matter; and, it seems, he apprehends the danger of it too much. Once he was chiding the prince of Conti for his being about to fight a combat with a man of quality. The king told him he ought to consider the dignity of his blood, and not put himself on the level with other subjects; and that his uncle had declined fighting on that very account. The prince of Conti answered, "my uncle might well have done so after he had won two battles; but I, who have yet done nothing, must pretend to no such distinction." The king told this answer to the prince of Condé, who saw he was nettled with it. So he said to him that his nephew had in that spoken like a young man; for winning of a battle was no great matter, since though he who commanded had the glory of it, yet it was the subalterns that did the business. In which he thought he pleased the king; and for which he laughed heartily at him when he told the story. The late king told me, that in these campaigns the Spaniards were both so ignorant and so backward, so proud and yet so weak, that they would never own their feebleness, or their wants, to him. They pretended they had stores, when they had none: and thousands, when they scarcely had hundreds. He had in their counsels often desired that they would give him only a true state of their garrisons and magazines. But they always gave it false. So that for some campaigns all was lost, merely because they deceived him in the strength they pretended they had. At last he believed nothing they said, but sent his own officers to examine everything. Monterey was a wise man and a good governor, but was a coward. Villa Hermosa was a brave man, but ignorant and weak. Thus the prince had a sad time of it every campaign. But none was so unhappy as this, in which, upon the loss of Valenciennes, he looking on St. Omer as more important than Cambray, went thither, and ventured a battle too rashly. Luxembourg, with a great body of horse, came into the duke of Orleans' army just as they were engaging. Some regiments of marines, on whom the prince depended much, did basely run away. Yet the other bodies fought so well, that he lost not much besides the honour of the day. But upon that St. Omer did immediately capitulate, as Cambray did some days after. It was thought, that the king was jealous of the honour his brother had got in that action; for he never had the command of an army after that time; and, courage being the chief good quality that he had, it was thought his having no occasion given him to show it flowed from some particular reason.

These things happening during this session of parliament made great impression on all people's minds. Sir W. Coventry opened the business in the house of commons, and shewed the danger of all these provinces falling under the power of France, which must end in the ruin of the United Provinces, if a timely stop was not put to the progress the French were making. He demonstrated that the interest of England made it necessary for the king to withdraw his mediation, and enter into the alliance against France: and the whole house went into this. There were great complaints made of the regiments that the king kept in the French army, and of the great service that was done by them. It is true, the king

suffered the Dutch to make levies. But there was another sort of encouragement given to the levies for France, particularly in Scotland, where it looked more like a press than a levy. They had not only the public jails given them to keep their men in, but, when these were full, they had the castle of Edinburgh assigned them, till ships were ready for their transport. Some that were put in prison for conventicles were, by order of council, delivered to their officers. The Spanish ambassador heard of this, and made great complaints upon it. So a proclamation was ordered, prohibiting any more levies. But duke Lauderdale kept it up some days, and wrote down to hasten the levies away, for a proclamation was coming down against them. They were all shipped off, but had not sailed, when the proclamation came down; yet it was kept up till they sailed away. One of the ships was driven back by stress of weather; but no care was taken to execute the proclamation. So apparently was that kingdom in a French management.

The house of commons pressed the king, by repeated addresses, to fall into the interest of Europe, as well as into his own. The king was uneasy at this, and sent them several angry messages. Peace and war, he said, were undoubtedly matters within his prerogative, in which they ought not to meddle. And the king in common discourse remembered often the parliament's engaging his father and grandfather in the affairs of Germany, and to break the match with Spain, which proved fatal to them; and he resolved not to be served in such a manner. Upon this occasion lord Danby saw his error, of neglecting the leading men, and reckoning upon a majority, such as could be made: for these leading men did so entangle the debates, and overreached those on whom he had practised, that they, working on the aversion that the English nation naturally has to a French interest, spoiled the most hopeful session the court had had of a great while, before the court was well aware of it. The king, who was yet firmly united with France, dismissed them with a very angry speech, checking them for going so far in matters that were above them, and that belonged only to him; though they brought to him many precedents in the reigns of the highest spirited of all our kings, in which parliaments had not only offered general advices, about the entering into wars, but even special ones, as to the conduct that was to be held in them. The whole nation thought it a great happiness to see a session that lord Shaftesbury's wilfulness had, as it were, driven in to the court, end with doing so little mischief, far contrary to all men's expectations.

When the session was over, lord Danby saw his ruin was inevitable, if he could not bring the king off from a French interest; upon which he set himself much to it: and, as he talked with an extraordinary zeal against France on all occasions, so he pressed the king much to follow the advices of his parliament. The king seemed to insist upon this, that he would once have a peace made upon the grounds that he had concerted with France; and, when that was done, he would enter next day into the alliance. But he stood much upon this; that having once engaged with France in the war, he could not with honour turn against France, till it was at an end. This was such a refining in a point of honour, which that king had not on all other occasions considered so much, that all men believed there was somewhat else at the bottom. The earl of Danby continued to give, by sir William Temple, all possible assurances to the prince of Orange, pressing him likewise to make some compliances on his side. And he gave him great hopes of bringing about a marriage with the duke's daughter, which was universally desired by all the protestant party, both at home and abroad. Great offers were made to the duke to draw him into the alliance. He was offered the command of the whole force of the allies: and he seemed to be wrought on by the prospect of so great an authority. There was a party that was still very jealous of lord Danby in all this matter: some thought all this was artifice; that a war would be offered to the next session, only to draw money from the parliament, and thereby to raise an army, and that, when the army was raised, and much money given to support it, all would be sold to France for another great sum; and that the parliament would be brought to give the money to pay an army for some years, till the nation should be subdued to an entire compliance with the court. It was given out that this must be the scheme by which he maintained himself in the king and the duke's confidence, even when he declared himself an open enemy to that which they were still supporting. This he did with so little decency, that at Sancroft's con-

secration dinner, he began a health, to the confusion of all that were not for a war with France. He got the prince of Orange to ask the king's leave to come over at the end of the campaign: with which the court of France was not pleased; for they suspected a design for the marriage. But the king assured Barillon *, who was lately sent over ambassador in Courtin's place, that there was not a thought of that; and that the prince of Orange had only a mind to talk with him; and he hoped he should bring him into such measures as should produce a speedy peace.

The campaign ended unsuccessfully to the prince; for he sat down before Charleroi, but was forced to raise the siege †. When that was over, he came to England, and stayed some time in it, talking with his two uncles about a peace. But they could not bring him up to their terms. After a fruitless stay for some weeks, he intended to go back without proposing marriage. He had no mind to be denied; and he saw no hope of succeeding, unless he would enter more entirely into his uncle's measures. Lord Danby pressed his staying a few days longer, and that the management of that matter might be left to him. So next Monday morning, after he had taken care, by all his creatures about the king, to put him in a very good humour, he came to the king, and told him he had received letters from all the best friends his majesty had in England, and shewed a bundle of them; (which he was pretty sure the king would not trouble himself to read: probably they were written as he had directed.) They all agreed, he said, in the same advice, that the king should make a marriage between the prince of Orange and the duke's daughter; for they all believed he came over on that account: and, if he went away without it, no body would doubt, but that he had proposed it, and had been denied. Upon which the parliament would certainly make addresses to the king for it. And if the marriage was made upon that, the king would lose the grace and thanks of it: but if it was still denied, even after the addresses of both houses, it would raise jealousies that might have very ill consequences. Whereas, if the king did it of his own motion, he would have the honour of it; and, by so doing, he would bring the prince into a greater dependence on himself, and beget in the nation such a good opinion of him, as would lay a foundation for a mutual confidence. This he enforced with all the topics he could think on. The king said the prince had not so much as proposed it. Lord Danby owned he had spoken of it to himself, and said that his not moving it to the king was only because he apprehended he was not likely to succeed in it. The king said next, "My brother will never consent to it." Lord Danby answered, perhaps not, unless the king took it upon him to command it. And he thought it was the duke's interest to have it done, even more than the king's. All people were now possessed of his being a papist, and were very apprehensive of it; but if they saw his daughter given to one that was at the head of the protestant interest, it would very much soften those apprehensions, when it did appear that his religion was only a personal thing, not to be derived to his children after him. With all this the king was convinced. So he sent for the duke, lord Danby staying still with him. When the duke came, the king told him he had sent for him, to desire he would consent to a thing that he was sure was as much for his interest, as it was for his own quiet and satisfaction. The duke, without asking what it was, said he would be ready always to comply with the king's pleasure in every thing. So the king left it to the lord Danby to say over all he had said on that head to himself. The duke seemed much concerned. But the king said to him, "Brother, I desire it of you for my sake, as well as your own." And upon that the duke consented to it. So lord Danby sent immediately for the prince, and in the king's name ordered a council to be presently summoned. Upon the prince's coming, the king, in a very obliging way, said to him, "Nephew, it is not good for man to be alone, I will give you a help meet for you." And so he told him he would bestow his niece on him. And the duke, with a seeming heartiness, gave his consent in very obliging terms: the king adding, "Nephew, remember that love and war do not agree well together." In the meanwhile the news of the intended

* The letters of M. Barillon, throwing great light upon the proceedings of our court at this time, are given in Fox's Hist. of James the Second.

† This enabled the earl of Mulgrave to discharge upon the prince a very severe witticism. The prince, rather uncourteously gave him an audience without moving, upon which the earl observed, that it appeared he could not rise before any thing less than a town.—E. of Dartmouth—Oxford ed. of this work.

marriage went over the court and town. All, except the French and the popish party, were much pleased with it. Barillon was amazed. He went to the duchess of Portsmouth, and got her to send all her creatures to desire to speak to the king: she wrote him likewise several billets to the same purpose. But lord Danby had ordered the council to be called; and he took care that neither the king nor the duke should be spoken to, till the matter was declared in council. And when that was done, the king presented the prince to the young lady, as the person he designed should be her husband. When Barillon saw it was gone so far, he sent a courier to the court of France with the news; upon whose arrival Montague, that was then our ambassador there, was sent for. When he came to Versailles, he saw the king the most moved that he had ever observed him to be. He asked him when was the marriage to be made? Montague understood not what he meant. So he explained all to him. Montague protested to him that he knew nothing of the whole matter. That king said, he always believed the journey would end in this; and he seemed to think that our court had now forsaken him. He spoke of the king's part in it more decently; but expostulated severely on the duke's part, who had now given his daughter to the greatest enemy he had in the world. To all this Montague had no answer to make. But next night he had a courier with letters from the king, the duke, and the prince, to the king of France. The prince had no mind to this piece of courtship, but his uncle obliged him to it, as a civility due to kindred and blood. The king assured the king of France that he had made the match on design to engage the prince to be more tractable in the treaty that was now going on at Nimeguen. The king of France received these letters civilly; but did not seem much satisfied with them. Montague was called over soon after this to get new instructions. And lord Danby asked him how the king of France received the news of the marriage. He answered, as he would have done the loss of an army; and that he had spoken very hardly of the duke, for consenting to it, and not at least acquainting him with it. Lord Danby answered, he wronged him; for he did not know of it an hour before it was published, and the king himself not above two hours. All this relation I had from Montague himself. It was a masterpiece indeed, and the chief thing in the earl of Danby's ministry, for which the duke never forgave him*.

Upon the general satisfaction that this marriage gave the whole nation, a new session of parliament was called in the beginning of the year 78: to which the king declared the sense he had of the dangerous state their neighbours were in, and that it was necessary he should be put in a posture to bring things to a balance. So the house was pressed to supply the king in so plentiful a manner as the occasion did require. The court asked money both for an army and a fleet. Sir William Coventry showed the great inconvenience of raising a land army, the danger that might follow on it, the little use could be made of it, and the great charge it must put the nation to; he was for hiring bodies from the German princes, and for assisting the Dutch with money; and he moved to recall our troops from France, and to employ them in the Dutch service; he thought that which did more properly

* Burnet is very erroneous in his statements respecting the marriage of the prince of Orange with the princess Mary. It had long been designed between lord Danby and sir W. Temple, then ambassador at the Hague. The prince often talked with the latter upon the subject; and having his proposed wife described in favourable colours, and seeing the advantage that would accrue to him and the protestant cause from the alliance, he positively sent proposals over to the king and duke of York, by the hand of lady Temple, and lord Danby said the king directed him to invite over the prince. Some time after, namely, in September, 1677, he came to England. Charles was much amused at the prince's nicety in refusing to enter upon any treaty of marriage until he had seen his intended wife. The prince, being satisfied with her appearance, then entered upon the treaty. There is no doubt but that the duke of York was opposed to the match, and when the prince arrived, he told Danby, in a great passion, that he discerned the intrigue, and that he was its manager, but that the design should fail; the king had promised never to dispose of his, the duke's, daughter without his consent, and that consent should never be given to the proposed match. Lord Danby communicated this to Charles, but the king, after acknowledging the promise, added with his usual oath, "God's fish! he must consent." The duke eventually yielded, and then they wanted to treat of the terms of peace with France first, but the prince would have his marriage previously settled. A rupture nearly occurred upon this, but by the instrumentality of sir W. Temple, the king was persuaded to yield, saying, "If I am not deceived in the prince's face, he is the honestest man in the world, and I will trust him, and he shall have his wife, and you shall go immediately and tell my brother so." It was declared the same evening to the privy council, and within three days the marriage was consummated.—(Temple's Memoirs, &c., i. 454, &c.; Oxford ed. of this work, &c.) The prince arrived in England on the 9th of October, and was married on the 4th of November.—Ralph's Hist. of England.

belong to England was to set out a great fleet, and to cut off the French trade everywhere; for they were then very high in their manufactures and trade: their people were ingenious as well as industrious: they wrought hard and lived low, so they sold cheaper than others could do; and it was found that we sent very nearly a million of our money in specie every year for the balance of our trade with them. But the king had promised so many commissions to men of quality in both houses, that this carried it for a land army. It was said, what hazard could there be from an army commanded by men of estates, as this was to be? A severe act passed, prohibiting all importation of the French manufactures or growth for three years, and to the next session of parliament after that. This was made as strict as was possible; and for a year after it was well looked to. But the merchants found ways to evade it, and the court was too much French not to connive at the breach of it. In the preamble of this act it was set forth, that we were in an actual war with France. This was excepted to, as not true in fact. But the ministry affirmed we were already engaged so far with the allies, that it was really a war, and that our troops were already called from France. Coventry in some heat said the king was engaged, and he would rather be guilty of the murder of forty men, than to do anything to retard the progress of the war. The oddness of the expression made it to be often objected afterwards to him. A poll bill was granted, together with the continuance of the additional customs that were near falling off. Six hundred thousand pounds were also given for a land army and for a fleet. All the court party magnified the design of raising an army. They said the employing hired troops was neither honourable nor safe. The Spaniards were willing to put Ostend and Nieuport in our hands; and we could not be answerable for these places if they were not kept by our own people.

At this time the king of France made a step that struck terror into the Dutch, and inflamed the English out of measure. Louvoy till then was rather his father's assistant than a minister upon his own foot. He at this time gained the credit with the king, which he maintained so long afterwards. He proposed to him the taking of Ghent; and thought that the king's getting into such a place, so near the Dutch, would immediately dispose them to a peace. But it was not easy to bring their army so soon about it, without being observed, so the execution seemed impossible. He therefore laid such a scheme of marches and countermarches as did amuse all the allies. Sometimes the design seemed to be on the Rhine, sometimes on Luxemburgh. And while their forces were sent to defend those places where they apprehended the design was laid, and that none of the French generals themselves did apprehend what the true design was, all on the sudden Ghent was invested; and both town and citadel were quickly taken. This was Louvoy's masterpiece. And it had the intended effect. It brought the Dutch to resolve on a peace. The French king might have taken Bruges, Ostend, and Nieuport. But he only took Ypres; for he had no mind to provoke the English. He was sure of his point by the fright this put the Dutch in. We were much alarmed at it. And the duke of Monmouth was immediately sent over with some of the Guards.

But the parliament grew jealous, as they had great cause given them, both by what was then doing in Scotland, and by the management they observed at court. And now I must look northward to a very extraordinary scene that opened there. Duke Lauderdale and his duchess went to Scotland the former year. Her design was to marry her daughters into two of the great families of Scotland, Argyle and Murray, which she did. But things being then in great disorder, by reason of the numbers and desperate tempers of those who were *intercommoned*, Sharp pretended he was in great danger of his life; and that the rather because the person that had made the attempt on him was let live still. Upon this, I must tell what had passed three years before this. Sharp had observed a man that kept a shop at his door, who looked very narrowly at him always as he passed by, and he fancied he was the man that shot at him six years before. So he ordered him to be taken up and examined. It was found he had two pistols by him that were deeply charged, which increased the suspicion. Yet the man denied all. But Sharp got a friend of his to go to him, and deal with him to make a full confession; and he made solemn promises that he would procure his pardon. His friend answered, he hoped he did not intend to make use of him to trepan

a man to his ruin. Upon that, with lifted up hands, Sharp promised by the living God, that no hurt should come to him, if he made a full discovery. The person came again to him and said, if a promise was made in the king's name, the prisoner would tell all. So it was brought before the council. Lord Rothes, Halton, and Primrose were ordered to examine him. Primrose said it would be a strange force of eloquence to persuade a man to confess and be hanged. So duke Lauderdale, being the king's commissioner, gave them power to promise him his life. And as soon as these lords told him this, he immediately kneeled down and confessed the fact, and told the whole manner of it. There was but one person privy to it, who was then dead. Sharp was troubled to see so small a discovery made; yet they could not draw more from him. So then it was considered what should be done to him. Some moved the cutting off his right hand. Others said he might learn to practise with his left hand, and to take his revenge; therefore they thought both hands should be cut off. Lord Rothes, who was a pleasant man, said, how shall he wipe his breech then? This is not very decent to be mentioned in such a work, if it were not necessary; for when the truth of the promise now given was afterwards called in question, this jest was called to mind, and made the whole matter to be remembered. But Primrose moved that since life was promised, which the cutting off a limb might endanger, it was better to keep him prisoner during life in a castle they had in the Bass, a rock in the mouth of the Frith. And thither he was sent. But it was thought necessary to make him repeat his confession in a court of judicature: so he was brought into the justiciary court upon an indictment for the crime, to which it was expected he should plead guilty. But the judge, who hated Sharp, as he went up to the bench, passing by the prisoner, said to him, "Confess nothing, unless you are sure of your limbs as well as of your life." Upon this hint he, apprehending the danger, refused to confess: which being reported to the council, an act was passed, mentioning the promise and his confession, and adding, that since he had retracted his confession, they likewise recalled the promise of pardon: the meaning of which was this, that, if any other evidence was brought against him, the promise should not cover him; but it still was understood, that this promise secured him from any ill effect by his own confession. The thing was almost forgotten after four years, the man being in all respects very inconsiderable. But now Sharp would have his life. So duke Lauderdale gave way to it: and he was brought to Edinburgh in order to his trial. Nisbit, who had been the king's advocate, and was one of the worthiest and most learned men of the age, was turned out. And Mackenzie was put in his place, who was a man of much life and wit, but he was neither equal nor correct in it. He has published many books, some of law, but all full of faults; for he was a slight and superficial man *. Lockhart was assigned counsel for the prisoner. And now that the matter came again into people's memory all were amazed at the proceeding. Primrose was turned out of the place of lord-register, and was made justice-general. He fancied orders had been given to raze the act that the council had made; so he turned the books, and he found the act still on record. He took a copy of it, and sent it to Mitchell's counsel: that was the prisoner's name. And a day or two before the trial he went to duke Lauderdale, who, together with Sharp, lord Rothes, and lord Halton, were summoned as the prisoner's witnesses. He told him, many thought there had been a promise of life given. Duke Lauderdale denied it stiffly. Primrose said, he heard there was an act of council made about it, and he wished that might be looked into. Duke Lauderdale said he was sure it was not possible, and he would not give himself the trouble to turn over the books of council. Prim-

* Sir George Mackenzie was born in 1636, and after an education conducted at the universities of Aberdeen, St. Andrew's, and Bourges, he assumed the barrister's gown before he was twenty. He was gifted with a fondness for general literature, yet he devoted himself to his profession, and, being a copious and eloquent speaker, he, in a few years, acquired the greatest eminence at the Scottish bar. As above stated, he became, in 1678, the king's advocate, or attorney-general, for Scotland. At the revolution, he retired from all public employment, intending to devote himself to literary pursuits, but death came upon him in 1691. As a politician, he certainly too much favoured the prerogative; as a lawyer, he was more splendid than solid; as a scholar and wit, we have the testimony of Dryden that he excelled. He would merit the respect of every friend of literature if he had no other merit than being the founder of the Advocates' Library at Edinburgh.—(Biog. Britan.; Memoirs of Lord Kames, i. app. 10.) Whoever desires to see his defence as a politician, should read his "Vindication of the Government of Charles the Second."

rose, who told me this, said his conscience led him to give duke Lauderdale this warning of the matter, but that he was not sorry to see him thus reject it. The trial was very solemn. The confession was brought against him as full evidence; to which Lockhart did plead, to the admiration of all, to show that no extrajudicial confession could be allowed in a court. The hardships of a prison, the hopes of life, with other practices, might draw confessions from men, when they were perhaps drunk, or out of their senses. He brought upon this a measure of learning, that amazed the audience, out of the lawyers of all civilized nations. And when it was opposed to this, that the council was a court of judicature, he showed that it was not the proper court for crimes of this nature, and that it had not proceeded in this as a court of judicature. And he brought out likewise a great deal of learning upon those heads. But this was overruled by the court, and the confession was found to be judicial. The next thing pleaded for him was, that it was drawn from him upon hope and promise of life: and to this Sharp was examined. The person he had sent to Mitchell gave a full evidence of the promises he had made him; but Sharp denied them all. He also denied he heard any promise of life made him by the council: so did the lords Lauderdale, Rothes, and Halton, to the astonishment of all that were present. Lockhart upon that produced a copy of the act of council, that made express mention of the promise given, and of his having confessed upon that. And the prisoner prayed that the books of council, which lay in a room over that in which the court sat, might be sent for. Lockhart pleaded, that since the court had judged that the council was a judicature, all people had a right to search into their registers; and the prisoner, who was likely to suffer by a confession made there, ought to have the benefit of those books. Duke Lauderdale, who was in the court only as a witness, and so had no right to speak, stood up and said, he and those other noble persons were not brought thither to be accused of perjury; and added, that the books of council were the king's secrets, and that no court should have the perusing of them. The court was terrified with this, and the judges were divided in opinion. Primrose and one other were for calling for the books. But three were of opinion that they were not to furnish the prisoner with evidence, but to judge of that which he brought. And here was only a bare copy, not attested upon oath, which ought not to have been read. So, this defence being rejected, he was cast and condemned.

As soon as the court broke up the lords went up stairs, and to their shame found the act recorded, and signed by lord Rothes, as president of the council. He pretended he signed everything that the clerk of council put in the book without reading it. And it was intended to throw it on him. But he, to clear himself, searched among his papers, and found a draught of the act in Nisbit's hand. So he being rich, and one they had turned out, they resolved to put it upon him, and to fine him deeply. But he examined the Sederunt in the book, and spoke to all who were there at the board, of whom nine happened to be in town, who were ready to depose upon oath, that when the council had ordered this act to be drawn, the clerk of the council desired the help of the king's advocate in penning it, which he gave him; and his draught was approved by the council. And now lord Rothes' jest was remembered. Yet duke Lauderdale still stood to it, that the promise could only be for interceding with the king for his pardon, since the council had not the power of pardoning in them. Lord Kincardine acted in this the part of a Christian to an enemy. Duke Lauderdale had written to him, he being then serving for him at court, that he referred the account of Mitchell's business to his brother's letters: in which the matter was truly related, that upon promise of life he had confessed the fact; and he concluded, desiring him to ask the king that he would be pleased to make good the promise. These letters I saw in lord Kincardine's hand. Before the trial he sent a bishop to duke Lauderdale, desiring him to consider better of that matter, before he would upon oath deny it; for he was sure he had it under his, and his brother's, hand, though he could not yet fall upon their letters. But duke Lauderdele despised this. Yet, before the execution, he went to his house in the country and there found the letters, and brought them in with him, and showed them to that bishop. All this made some impression on duke Lauderdale; and he was willing to grant a reprieve, and to refer the matter to the king. So a petition was offered to the council, and he spoke for it. But Sharp said, that was upon the matter the exposing his

person to any man that would attempt to murder him, since favour was to be showed to such an assassin. Then said duke Lauderdale, in an impious jest, "Let Mitchell glorify God in the Grass-market," which was the place where he was to be hanged. This action, and all concerned in it, were looked at by all people with horror. And it was such a complication of treachery, perjury, and cruelty, as the like had not perhaps been known. Yet duke Lauderdale had a chaplain, Hickes, afterwards dean of Worcester, who published a false and partial relation of this matter, in order to the justifying of it. Primrose not only gave me an account of this matter, but sent me an authentic record of the trial, every page signed by the clerk of the court: of which I have here given an abstract. This I set down the more fully, to let my readers see to what a height in wickedness men may be carried, after they have once thrown off good principles. What Sharp did now to preserve himself from such practices was probably that which, both in the just judgment of God and the inflamed fury of wicked men, brought him two years after to such a dismal end.

This made way to more desperate undertakings. Conventicles grew in the west to a very unsufferable pitch; they had generally with them a troop of armed and desperate men, that drew up and sent parties out to secure them. Duke Lauderdale upon this threatened he would extirpate them, and ruin the whole country, if a stop was not put to those meetings. The chief men of those parts upon that went into Edinburgh: they offered to guard and assist any that should be sent to execute the laws against all offenders; and offered to leave some as hostages, who should be bound body for body for their security. They confessed there were many conventicles held among them in a most scandalous manner; but though they met in the fields, and many of them were armed, yet, when their sermons were done, they dispersed themselves; and there was no violent opposition made at any time to the execution of the law; so they said there was no danger of the public peace of the country. Those conventicling people were become very giddy and furious; and some hot and hair-brained young preachers were chiefly followed among them, who infused wild principles into their hearers, which were disowned by the chief men of the party. The truth was, the country was in a great distraction; and that was chiefly occasioned by the strange administration they were then under. Many grew weary of their country, and even of their lives. If duke Lauderdale, or any of his party, brought a complaint against any of the other side, how false or frivolous soever, they were summoned upon it to appear before the council, as sowers of sedition, and as men that spread lies of the government; and upon the slightest pretences they were fined and imprisoned. When very illegal things were to be done, the common method was this: a letter was drawn for it to be signed by the king, directing it upon some colour of law or ancient practice: the king signed whatsoever was thus sent to him; and when his letter was read in council, if any of the lawyers or others of the board offered to object to it, he was browbeaten, as a man that opposed the king's service, and refused to obey his orders. And by these means things were driven to great extremities.

Upon one of those letters, a new motion was set on foot, that went beyond all that had been yet made. All the landlords in the western counties were required to enter into bonds for themselves, their wives, children, servants, tenants, and all that lived upon their estates, that they should not go to conventicles, nor harbour any vagrant teachers, or any intercommuned persons; and that they should live in all points according to law under the penalties of the laws. This was generally refused by them: they said the law did not impose it on them: they could not be answerable for their servants, much less for their tenants; this put it in the power of every servant or tenant to ruin them. Upon their refusing this, duke Lauderdale wrote to the king, that the country was in a state of rebellion, and that it was necessary to proceed to hostilities for reducing them. So by a letter, such as he sent up, the king left it to him and the council to take care of the public peace in the best way they could.

Upon this all the force the king had was sent into the west country with some cannon, as if it had been for some dangerous expedition; and letters were written to the lords in the Highlands, to send all the strength they could to assist the king's army. The marquis of Athol, to show his greatness, sent 2,400 men. The earl of Bredalbane sent 1,700 men; and

in all 8,000 men were brought into the country, and let loose upon free quarter. A committee of council was sent to give necessary orders. Here was an army: but no enemy appeared. The Highlanders were very unruly, and stole and robbed everywhere. The gentlemen of the country were required to deliver up their arms upon oath, and to keep no horse above four pound price. The gentlemen looked on, and would do nothing. This put duke Lauderdale in such a phrensy, that at council table he made bare his arms above his elbow, and swore by Jehovah he would make them enter into those bonds. Duke Hamilton, and others, who were vexed to see such waste made on their estates, in ploughing-time especially, came to Edinburgh to try if it was possible to mollify him. But a proclamation was issued out, requiring all the inhabitants of those counties to go to their houses, to be assistant to the king's host, and to obey such orders as should be sent them. And by another proclamation all men were forbidden to go out of the kingdom without leave from the council, on pretence that their stay was necessary for the king's service. These things seemed done on design to force a rebellion; which they thought would be soon quashed, and would give a good colour for keeping up an army. And duke Lauderdale's party depended so much on this, that they began to divide in their hopes the confiscated estates among them: so that on Valentine's day, instead of drawing mistresses, they drew estates. And great joy appeared in their looks upon a false alarm that was brought them of an insurrection; and they were as much dejected when they knew it was false. It was happy for the public peace, that the people were universally possessed with this opinion; for when they saw a rebellion was desired, they bore the present oppression more quietly than perhaps they would have done, if it had not been for that. All the chief men of the country were summoned before the committee of council, and charged with a great many crimes, of which they were required to purge themselves by oath: otherwise they would hold them guilty, and proceed against them as such. It was in vain to pretend that this was against all law, and was the practice only of the courts of inquisition. Yet the gentlemen, being thus forced to it, did purge themselves by oath: and, after all the inquiries that were made, there did not appear one single circumstance to prove that any rebellion was intended. And when all other things failed so evidently, recourse was had to a writ, which a man who suspects another of ill designs towards him may serve him with: and it was called *law-boroughs*, as most used in boroughs. This lay against a whole family: the master was answerable, if any one of his household broke it. So, by a new practice, this writ was served upon the whole country at the king's suit: and, upon serving the writ, security was to be given, much like the binding men to their good behaviour. Many were put in prison for refusing to give this security.

Duke Hamilton had intimation sent him, that it was designed to serve this on him. So he, and ten or twelve of the nobility, with about fifty gentlemen of quality, came up to complain of all this; which looked like French, or rather like Turkish government. The lords of Athol and Perth, who had been two of the committee of council, and had now fallen off from duke Lauderdale, came up with them to give the king an account of the whole progress of this matter. The clamour this made was so high, that duke Lauderdale saw he could not stand under it. So the Highlanders were sent home, after they had wasted the country nearly two months. And he magnified this as an act of his compassion, that they were so soon dismissed. Indeed all his own party were against him in it. Lord Argyle sent none of his men down with the other Highlanders. And lord Stair pretended that by a fall his hand was out of joint: so he signed none of these wild orders.

When the Scotch nobility came to London, the king would not see them, because they were come out of the kingdom in contempt of a proclamation; though, they said, that proclamation being intended to hinder them from bringing their complaints to the king, was one of their greatest grievances. But it was answered, they ought to have asked leave; and if it had been denied them, they were next to have asked the king's leave: and the king insisted still on this; only he saw the lords of Athol and Perth. The madness of this proceeding made him conclude, that duke Lauderdale's head was turned; yet he would not disown, much less punish him for what he had done: but he intended to put Scotland in another management, and to set the duke of Monmouth at the head of it. So he suffered him to go to the Scotch lords, and be their intercessor with him. They were all much

charmed with the softness of his temper and behaviour: but, though he assured them the king would put their affairs in other hands, they looked on that as one of the king's artifices to get rid of them. The matter made great noise; and it was in the time of the session of parliament here: and all people said, that by the management in Scotland it appeared what was the spirit of the government, and what would be done here, as soon as the designs of the court were brought to a greater perfection. The earl of Danby, by supporting duke Lauderdale, heightened the prejudices that himself lay under. The duke did also justify his conduct, which raised higher jealousies of him, as being pleased with that method of government. The chief of the Scotch nobility were heard before the cabinet council: and the earl of Nottingham held them chiefly to the point of coming out of the kingdom in the face of a proclamation. They said, such proclamations were anciently legal, when we had a king of our own among ourselves; but now it was manifestly against law, since it barred them from access to the king, which was a right that was never to be denied them. Lord Nottingham objected next to them a practice of making the heads of the families, or clans, in the Highlands to bind for their whole name; and why by a parity of reason might they not be required to bind for their tenants? It was answered, that anciently estates were let so low, that service and the following the landlords was instead of a rent; and then, in the inroads that were made into England, landlords were required to bring their tenants along with them; but now lands were let at rack: and so an end was put to that service. In the Highlands the feuds among the families were still so high, that every name came under such a dependence on the head or chief of it for their own security, that he was really the master of them all, and so might be bound for them: but even this was only to restrain depredations and murders: and it was an unheard-of stretch to oblige men to be bound for others in matters of religion and conscience, whether real or pretended.

The whole matter was at that time let fall: and duke Lauderdale took advantage from their absence to desire leave from the king to summon a convention of estates, from whom he might more certainly understand the sense of the whole kingdom: and, what by corrupting the nobility, what by carrying elections, or at least disputes about them, which would be judged as the majority should happen to be at first, he hoped to carry his point. So he issued out the writs, while they were at London, knowing nothing of the design. And these being returnable in three weeks, he laid the matter so, that before they could get home, all the elections were over; and he was master of above four parts in five of that assembly. So they granted an assessment for three years, in order to the maintaining a greater force. And they wrote a letter to the king, not only justifying, but highly magnifying duke Lauderdale's government. This was so base and so abject a thing, that it brought the whole nation under great contempt.

And thus I leave the affairs of Scotland, which had a very ill influence on the minds of the English; chiefly on the house of commons then sitting, who upon it made a new address against duke Lauderdale. And that was followed by another of a higher strain, representing to the king the ill effects of his not hearkening to their address the former year with relation to foreign affairs, and desiring him to change his ministry, and to dismiss all those that had advised the prorogation at that time, and his delaying so long to assist the allies. This was carried only by a small majority of two or three. So lord Danby brought up all his creatures, the aged and infirm not excepted, and then the majority lay the other way; and by short adjournments the parliament was kept sitting till Midsummer. Once lord Danby, thinking he had a clear majority, got the king to send a message to the house, desiring an additional revenue of 300,000*l.* during life. This set the house all in a flame. It was said, here was no demand for a war, but for a revenue, which would furnish the court so well, that there would be no more need of parliaments. The court party thought such a gift as this would make them useless; so the thing was upon one debate rejected without a division. Lord Danby was much censured for his rash attempt, which discovered the designs of the court too barefacedly. At the same time he ordered Montague to treat with the court of France for a peace, in case they would engage to pay the king 300,000*l.* a-year for three years. So, when that came afterwards to be known, it was then generally believed, that the design was to keep up and model the army now raised, reckoning there would be money enough to pay

them till the nation should be brought under a military government. And the opinion of this prevailed so, that lord Danby became the most hated minister that had ever been about the king. All people said now, they saw the secret of that high favour he had been so long in, and the black designs that he was contriving. At this time expresses went very quickly between England and France, and the state of foreign affairs varied every post; so that it was visible we were in a secret negotiation: of which Temple has given so particular an account, that I refer my reader wholly to him. But I shall add one particular, that he has not mentioned: Montague, who was a man of pleasure, was in an intrigue with the duchess of Cleveland, who was quite cast off by the king, and was then at Paris. The king had ordered him to find out an astrologer, of whom it was no wonder he had a good opinion; for he had, long before his restoration, foretold he should enter London on the 29th of May 60. He was yet alive, and Montague found him, and saw he was capable of being corrupted; so he resolved to prompt him to send the king such hints as should serve his own ends. And he was so bewitched with the duchess of Cleveland, that he trusted her with this secret. But she, growing jealous of a new amour, took all the ways she could think on to ruin him, reserving this of the astrologer for her last shift: and by it she compassed her ends; for Montague was entirely lost upon it with the king, and came over without being recalled. The earl of Sunderland was sent ambassador in his room *.

The treaty went on at Nimeguen, where Temple and Jenkins were our plenipotentiaries. The States were resolved to have a peace. The prince of Orange did all he could to hinder it: but De Wit's party began to gather strength again. And they infused a jealousy in all people, that the prince intended to keep up the war for his own ends. A peace might be now had by restoring all that belonged to the States, and by a tolerable barrier in Flanders. It is true, the great difficulty was concerning their allies, the king of Denmark, and the elector of Brandenburgh, who had fallen on the Swede, upon the king's declaring for France, and had beaten him out of Germany. No peace could be had, unless the Swede was restored. Those princes who had been quite exhausted by that war, would not consent to this. So they, who had adhered so faithfully to the States in their extremity, pressed them to stick by them. And this was the prince of Orange's constant topic: how could they expect any of their allies should stick to them, if they now forsook such faithful friends? But nothing could prevail. It was given out in Holland, that they could not depend on England, that court being so entirely in a French interest, that they suspected they would, as they had once done, sell them again to the French. And this was believed to be let out by the French ministers themselves, who, to come at their ends, were apt enough to give up even those who sacrificed every thing to them. It was said, the court of France would consider both Denmark and Brandenburgh, and repay the charge of the war against Sweden. This, it was said, was to force those princes into a dependence on France, who would not continue those payments so much for past as for future services. In the mean while the French had blocked up Mons. So the prince of Orange went to force them from their posts. Luxemburgh commanded there, and seemed to be in full hope of a peace, when the prince came and attacked him: and, notwithstanding the advantage of his situation, it appeared how much the Dutch army was now superior to the French, for they beat them out of several posts. The prince had no order to stop: he indeed knew that the peace was upon the matter concluded, but no intimation was yet made to him. So it was lawful for him to take all advantages: and he was not apprehensive of a new embroilment, but rather wished it. The French treasure was so exhausted, and their king was so weary of the war, that no notice was taken of the business of Mons. The treaty at Nimeguen was finished, and ratified: yet new difficulties arose upon the French king's refusing to evacuate the places that were to be restored till the Swede was restored to all his dominions. Upon this the English struck in again: and the king talked so high, as if he would engage in a new war. But the French prevented that, and did evacuate the places; and then they got Denmark and Brandenburgh into their dependence, under the pretence of repaying the charge of the war; but it was more truly

* The Duchess of Cleveland's letter, imparting the intelligence of Montague's treachery, is given by Harris at the end of his "Life of Charles the Second."

the engaging them into the interests of France by great pensions: so a general peace quickly followed, and there was no more occasion for our troops beyond sea. The French were so apprehensive of them, that Rouvigny, now earl of Galway, was sent over to negotiate matters. That which France insisted most on, was the disbanding the army. And the force of money was so strong, that he had orders to offer six millions of their money, in case the army should be disbanded in August. Rouvigny had such an ill opinion of the designs of our court, if the army was kept up, that he insisted on fixing the day for disbanding it; at which the duke was very uneasy. And matters were so managed, that the army was not disbanded by the day prefixed for it. So the king of France saved his money. And for this piece of good management Rouvigny was much commended. The troops were brought into England, and kept up, under the pretence that there was not money to pay them off. So all people looked on the next session as very critical. The party against the court gave all for lost: they believed the lord Danby, who had so often brought his party to be very near the majority, would now lay matters so well as to be sure to carry the session. And many did so despair of being able to balance his numbers, that they resolved to come up no more, and reckoned that all opposition would be fruitless, and serve only to expose themselves to the fury of the court: but of a sudden an unlooked-for accident changed all their measures, and put the kingdom into so great a fermentation, that it well deserves to be opened very particularly. I am so well instructed in all the steps of it, that I am more capable to give a full account of it than any man I know. And I will do it so impartially, that no party shall have cause to censure me for concealing, or altering the truth in any one instance. It is the history of that called the Popish Plot.

Three days before Michaelmas Dr. Tonge came to me: I had known him at sir Robert Murray's. He was a gardener and a chemist, and was full of projects and notions: he had got some credit in Cromwell's time, and that kept him poor. He was a very mean divine, and seemed credulous and simple; but I had always looked on him as a sincere man *. At this time he told me of strange designs against the king's person; and that Coniers, a Benedictine, had provided himself with a poniard, with which he undertook to kill him. I was amazed at all this, and did not know whether he was crazed, or had come to me on design to involve me in a concealing of treason. So I went to Dr. Lloyd, and sent him to the secretary's office with an account of that discourse of Tonge's, since I would not be guilty of misprision of treason. He found at the office that Tonge was making discoveries there, of which they made no other account, but that he intended to get himself to be made a dean. I told this next morning to Littleton and Powel: and they looked on it as a design of lord Danby's, to be laid before the next session, thereby to dispose them to keep up a greater force, since the papists were plotting against the king's life: this would put an end to all jealousies of the king, now the papists were conspiring against his life: but lord Halifax, when I told him of it, had another apprehension of it. He said, considering the suspicions all people had of

* Israel, or Ezrael Tongue, or Tonge, was born at Tickhill, in Yorkshire, during the year 1621. His father was minister of Holtley, in that county. In 1639 he was of University College, Oxford, and took his bachelor's degree before the breaking out of the civil war, at which time he retired from that city, not choosing to support the king. In 1648, he was made a fellow of his college by the parliament's visitors. He married a daughter of a Dr. Simpson, who resigned to him the living of Pluckley, in Kent, but, quarrelling with the parishioners, he quitted it in 1657 for a fellowship in the newly-erected college at Durham. This being dissolved in 1660, he settled at Islington, and opening a school, pursued a very successful mode of teaching. He then, following the restless suggestions of his nature, went with Colonel Edward Harley to Dunkirk, and resided there as chaplain. When this town was sold, he became vicar of Leutwarden, in Hertfordshire, but left it for the scarcely more beneficial living of St. Mary Staynings, in London. The conflagration in 1666 destroyed his church, and he then went as chaplain to the garrison at Tangier; but when his parish was united with St. Michael, Wood Street, and this church rebuilt, he was sent for home to be rector of the two. Wood, who was not much disposed to speak well of Roundheads and Puritans, says, he was well versed in Latin, Greek, poetry, and chronology; spent much time and money in the pursuit of alchemy; was fond of instructing children; not very well qualified to advance his own interests; rough and cynical in his manner and nature, "yet absolutely free from covetousness, and I dare say from pride." He died in the house of that factious dissenter, called the *Protestant Joiner*, alias Stephen Colledge (who kept him in his house, had much ado with him, and had been at great charge to keep him in order, for carrying on the cause then in hand), on the 18th of December, 1680." His funeral sermon was preached by the reverend Thomas Jones. In it he was highly eulogised. Dr. Tongue wrote three papers on the motion of the sap in trees, that were printed in the Philosophical Transactions, and several works relative to the Popish Plot, and the murder of sir Edmundbury Godfrey.—Wood's Athenæ Oxon, ii. 671, fol.

the duke's religion, he believed every discovery of that sort would raise a flame, which the court would not be able to manage.

The day after that Titus Oates was brought before the council. He was the son of an anabaptist teacher, who afterwards conformed, and got into orders, and took a benefice, as this his son did. He was proud and ill-natured, haughty, but ignorant. He had been complained of for some very indecent expressions concerning the mysteries of the Christian religion. He was once presented for perjury; but he got to be a chaplain in one of the king's ships, from which he was dismissed upon complaint of some unnatural practices, not to be named. He got a qualification from the duke of Norfolk as one of his chaplains; and there he fell into much discourse with the priests that were about that family. He seemed inclined to be instructed in the popish religion. One Hutchinson, a Jesuit, had that work put on him. He was a weak and light-headed man, and afterwards came over to the church of England. Hutchinson was a curate about the city near a year, and came often to me, and preached once for me. He seemed to be a sincere, devout man, who did not at all love the order, for he found they were a deceitful and meddling sort of people. They never trusted him with any secrets, but employed him wholly in making converts: he went afterwards back to that church. So all this was thought a juggle only to cast an odium upon Oates. He told me that Oates and they were always on ill terms: they did not allow Oates above ninepence a day, of which he complained much; and Hutchinson relieved him often. They wished they could be well rid of him, and sent him beyond sea, being on very ill terms with him. This made Hutchinson conclude, that they had not at that time trusted Oates with their secrets. Oates was kept for some time at St. Omers; and from thence sent through France into Spain, and was now returned into England *. He had been long acquainted with Tonge, and made his first discovery to him; and he, by the means of one Kirby, a chemist, that was sometimes in the king's laboratory, signified the thing to the king. So Tonge had an audience, and told the king a long thread of many passages, all tending to the taking away his life; which the king, as he afterwards told me, knew not what to make of: yet among so many particulars, he did not know but there might be some truth. So he sent him to lord Danby, who intended to make some use of it, but could not give much credit to it, and handled the matter too remissly; for, if at first the thing had been traced quickly, either the truth or the imposture of the whole affair might have been made appear. The king ordered lord Danby to say nothing of it to the duke. In the mean while some letters of an odd strain, relating to plots and discoveries, were sent by the post to Windsor, directed to Beddingfield, the duke's confessor: who, when he had read them, carried them to the duke, and protested he did not know what they meant, nor from whom they came. The duke carried them to the king, and he fancied they were written either by Tonge or Oates, and sent on design to have them intercepted, to give the more credit to the discovery. The duke's enemies on the other hand gave out, that he had got some hints of the discovery, and brought these as a blind to impose on the king. The matter lay in a secret and remiss management for six weeks.

At last, on Michaelmas Eve, Oates was brought before the council, and entertained them with a long relation of many discourses he had heard among the Jesuits, of their design to kill the king. He named persons, places, and times, almost without number. He said, many Jesuits had disguised themselves, and were gone to Scotland, and held field conventicles, on design to distract the government there. He said, he was sent first to St. Omer's, thence to Paris, and from thence to Spain, to negotiate this design; and that upon his return, when he brought many letters and directions from beyond sea, there was a great meeting of

* Titus Oates was born about the year 1619. His father was a baptist minister. He was educated at Merchant Tailor's school, and Cambridge, where he entered into holy orders. In 1677 he professed the Roman Catholic religion, and was admitted into the Jesuit society. On his return to England he again joined the protestant church. For his informations and proceedings concerning the popish plot, he obtained from the ministers of Charles the Second, a pension of 1,200*l.* a year; but when James succeeded to the crown, Oates was justly condemned as a perjurer, fined 2,000 marks, pillored, twice whipped, stripped of his canonicals, and committed to imprisonment for life. In the reign of William the Third he was released, and given a yearly pension of 400*l.* He declared himself an anabaptist at the time of his death in 1705.—North's Examen; Grey's Examination of Neale's Hist. of Puritans.

the Jesuits held in London, in April last, in different rooms in a tavern near St. Clement's; and that he was employed to convey the resolutions of those in one room to those in another, and so to hand them round. The issue of the consultation was, that they came to a resolution to kill the king, by shooting, stabbing, or poisoning him; that several attempts were made, all which failed in the execution, as shall be told when the trials are related. While he was going on, waiting for some certain evidence to accompany his discovery, he perceived they were jealous of him; and so he durst not trust himself among them any more. In all this there was not a word of Coniers, of whom Tonge had spoken to me. So that was dropped. This was the substance of what Oates told the first day. Many Jesuits were upon this seized on that night, and the next day; and their papers were sealed up next day. He accused Coleman of a strict correspondence with P. de la Chaise; (whose name he had not right, for he called him Father Le Shee:) and he said in general, that Coleman was acquainted with all their designs.

Coleman had a whole day free to make his escape, if he thought he was in any danger; and he had conveyed all his papers out of the way; only he forgot a drawer under the table, in which the papers relating to 74, 75, and a part of 76 were left. And from these I drew the negotiations, that I have formerly mentioned as directed by him. If he had either left all his papers, or withdrawn all, it had been happy for his party. Nothing had appeared, if all his papers had been put out of the way: but, if all had been left, it might have been concluded, that the whole secret lay in them. But he left enough to give great jealousy; and, no more appearing, all was believed that the witnesses had deposed. Coleman went out of the way for a day, hearing that there was a warrant out against him; but he delivered himself the next day to the secretary of state. When Oates and he were confronted, Oates did not know him at first; but he named him when he heard him speak; yet he only charged him upon hearsay; so he was put in a messenger's hands. Oates named Wakeman, the queen's physician, but did not know him at all. And being asked if he knew anything against him, he answered he did not; adding, God forbid he should say anything more than he knew; he would not do that for all the world: nor did he name Langhorn, the famous lawyer, that indeed managed all their concerns. The king found him out in one thing. He said, when he was in Spain, he was carried to Don John, who promised great assistance in the execution of their designs. The king, who knew Don John well, asked him what sort of a man he was: he answered, he was a tall lean man. Now Don John was a little fat man. At first he seemed to design to recommend himself to the duke and the ministers: for he said, he heard the Jesuits oft say, that the duke was not sure enough to them; and they were in doubt, whether he would approve of their killing the king; but they were resolved, if they found him stiff in that matter, to despatch him likewise. He said, they had oft made use of his name, and counterfeited his hand and seal without his knowledge. He said, the Jesuits cherished the faction in Scotland against duke Lauderdale; and intended to murder the duke of Ormond, as a great enemy to all their designs: and he affirmed, he had seen many letters, in which these things were mentioned, and had heard them oft spoken of. He gave a long account of the burning of London, at which they intended to have killed the king; but they relented, when they saw him so active in quenching the fire, which, as he said, they had kindled.

The whole town was all over inflamed with this discovery. It consisted of so many particulars, that it was thought to be above invention: but when Coleman's letters came to be read and examined, it got a great confirmation; since by these it appeared, that so many years before they thought the design for the converting the nation, and rooting out the pestilent heresy that had reigned so long in these northern kingdoms, was very near its being executed; mention was oft made of the duke's great zeal for it; and many indecent reflections were made on the king, for his inconstancy, and his disposition to be brought to anything for money: they depended on the French king's assistance: and therefore were earnest in their endeavours to bring about a general peace, as that which must finish their design.

On the second day after this discovery, the king went to Newmarket. This was censured as a very indecent levity in him, to go and see horse-races, when all people were so much possessed with this extraordinary discovery, to which Coleman's letters had gained an

universal credit. While the king was gone, Tonge desired to speak with me: so I went to him to Whitehall, where both he and Oates were lodged under a guard. I found him so lifted up, that he seemed to have lost the little sense he had. Oates came in, and made me a compliment, that I was one that was marked out to be killed. He had before said the same to Stillingfleet of him: but he made that honour which he did us too cheap, when he said Tonge was to be be served in the same manner, because he had translated the Jesuits' morals into English. He broke out into great fury against the Jesuits, and said, he would have their blood. But I, to divert him from that strain, asked him, what were the arguments that prevailed on him to change his religion, and to go over to the church of Rome? He upon that stood up, and laid his hands on his breast, and said, God and his holy angels knew, that he had never changed, but that he had gone among them on purpose to betray them. This gave me such a character of him, that I could have no regard to anything he either said or swore after that.

A few days after this, a very extraordinary thing happened, that contributed more than any other thing to the establishing the belief of all this evidence. Sir Edmondbury Godfrey was an eminent justice of peace, that lived near Whitehall. He had the courage to stay in London, and keep things in order during the plague; which gained him much reputation, and upon which he was knighted. He was esteemed the best justice of peace in England, and kept the quarter where he lived in very good order. He was then entering upon a great design of taking up all beggars and putting them to work. He was thought vain, and apt to take too much upon him. But there are so few men of a public spirit, that small faults, though they lessen them, yet ought to be gently censured. I knew him well, and never had reason to think him faulty that way *. He was a zealous protestant, and loved the church of England; but had kind thoughts of the non-conformists, and was not forward to execute the laws against them. And he, to avoid being put on doing that, was not apt to search for priests or mass-houses. So that few men of his zeal lived in better terms with the papists than he did. Oates went to him the day before he appeared at the council-board, and made oath of the narrative he intended to make, which he afterwards published. This seemed to be done in distrust of the privy council, as if they might stifle his evidence; which to prevent he put it in safe hands. Upon that Godfrey was chid for his presuming to meddle in so tender a matter. And it was generally believed, that Coleman and he were long in a private conversation, between the time of his (Coleman's) being put in the messenger's hands, and his being made a close prisoner: which was done as soon as report was made to the council of the contents of his letters. It is certain, Godfrey grew apprehensive and reserved; for, meeting me in the street, after some discourse of the present state of affairs, he said, he believed he himself should be knocked on the head: yet he took no care of himself, and went about according to his own maxim, still without a servant: for he used to say, that the servants in London were corrupted by the idleness and ill company they fell into, while they attended on their masters. On the day fortnight from that in which Oates had made his discovery, being Saturday, he went abroad in the morning, and was seen about one o'clock near St. Clement's church; but was never seen any more. He was a punctual man to good hours: so his servants were amazed when he did not come home. Yet, he having an ancient mother that lived at Hammersmith, they fancied, he had heard she was dying, and so was gone to see her. Next morning they sent thither, but heard no news of him; so his two brothers, who lived in the city, were sent to. They were not acquainted with his affairs, so they did not know whether he might not have stepped aside for debt; since at that time all people were calling in their money, which broke a great many. But, no creditors coming about the house, they on Tuesday published his being thus lost. The council sat upon it, and were going to order a search of all the houses about the town; but were diverted from it by many stories that were brought them by the duke of Norfolk. Sometimes it was said, he was indecently married: and the scene was often shifted of the places where it was said he was. The duke of Norfolk's officiousness in this matter, and the last place he was seen at being near Arundel house, brought him under great suspicion. On

* That is, in taking too much upon him.—Note by author's son.

Thursday, one came into a bookseller's shop, after dinner, and said, he was found thrust through with a sword. That was presently brought as news to me; but the reporter of it was not known. That night late his body was found in a ditch, about a mile out of the town, near St. Pancras church. His sword was thrust through him; but no blood was on his clothes, or about him. His shoes were clean; his money was in his pocket, but nothing was about his neck; and a mark was all round it, an inch broad, which showed he was strangled. His breast was likewise all over marked with bruises, and his neck was broken. All this I saw; for Dr. Lloyd and I went to view his body. There were many drops of white wax-lights on his breeches, which he never used himself. And since only persons of quality, or priests, use those lights, this made all people conclude in whose hands he must have been. And it was visible he was first strangled, and then carried to that place, where his sword was run through his dead body. For a while it was given out, that he was a hypochondriacal man, and had killed himself. Of this the king was possessed, till Dr. Lloyd went and told him what he had seen. The body lay two days exposed, many going to see it, who went away much moved with the sight. And indeed men's spirits were so sharpened upon it, that we all looked on it as a very great happiness, that the people did not vent their fury upon the papists about the town *.

The session of parliament was to be opened within three days; and it may be easily imagined in what a temper they met. The court party were out of countenance: so the country party were masters this session. All Oates's evidence was now so well believed, that it was not safe for any man to seem to doubt of any part of it. He thought he had the nation in his hands, and was swelled up to a high pitch of vanity and insolence. And now he made a new edition of his discovery at the bar of the house of commons. He said, the Pope had declared that England was his kingdom, and that he had sent over commissions to several persons; and had by these made lord Arundel of Wardour, chancellor; lord Powis, treasurer; sir William Godolphin, then in Spain, privy seal; Coleman, secretary of state; lord Bellasis, general; lord Petre, lieutenant-general; Ratcliffe, major-general; Stafford, paymaster-general; and Langhorn advocate-general; besides many other commissions for subaltern officers †. These, he said, he saw in Langhorn's chamber; and that he had delivered out many of them himself, and saw many more delivered by others. And he now swore, upon his own knowledge, that both Coleman and Wakeman were in the plot; that Coleman had given eighty guineas to four ruffians, that went to Windsor last summer to stab the king; that Wakeman had undertaken to poison him, for which 10,000*l.* were offered him, but that he got the price raised to 15,000*l.* He excused his not knowing them, when confronted with them; and said, that he was then so spent by a long examination, and by not sleeping for two nights, that he was not then master of himself; though it seemed very strange, that he should then have forgotten that which he made now the main part of his evidence, and should have then objected to them only reports upon hearsay, when he had such matter against them, as he now said, upon his own knowledge. And it seemed not very congruous, that those who went to stab the king had but twenty guineas apiece, when Wakeman was to have 15,000*l.* for a safer way of killing him. Many other things in the discovery made it seem ill digested, and not credible. Bellasis was almost perpetually ill of the gout. Petre was a weak man, and had never any military command. Ratcliffe was a man that lived in great state in the north, and had not stirred from home all the last summer. Oates also swore, he delivered a commission to be a colonel, in May last, to Howard, the earl of Carlisle's brother, that had married the duchess of Richmond. But a friend of mine told me, he was all that month at Bath, lodged in the same house with Howard, with

* Very trivial circumstances are allowed by the ignorant to assume an importance to which they are not entitled, especially if they are sustained by superstition. Thus the imperfect anagram of sir Edmundbury Godfrey's name (I find murdered by rogues) helped to convince the multitude that the papists were the instruments of his murder. —Grainger's Biog. Hist. So general was the alarm, that the papists were in league against all that supported the protestants, that we find from the Journal of the House of Commons, Oct. 28, 1678, "that there being a discourse of blowing up the two houses of parliament, and this the day for executing the same," a committee was appointed to search the rooms beneath.

† Thus Mr. John Lambert was to be adjutant-general; Mr. Arundel, of Wardour, commissary-general; and sir George Wakeman, physician to the forces.—Oates's Narrative of the Popish Plot, published in 1679.

whom he was every day engaged at play. He was then miserably ill of the gout, of which he died soon after. Oates did also charge general Lambert, as one engaged in the design, who was to have a great post, when set at liberty: but he had been kept in prison ever since the Restoration; and by that time had lost his memory and sense. But it was thought strange, that since Oates had so often said, what I once heard him say, that he had gone in among them on design to betray them, that he had not kept any one of all these commissions to be real proof in support of his evidence. He had also said to the king, that whereas others ventured their lives to serve him, he had ventured his soul to serve him: and yet he did suffer the four ruffians to go to Windsor to kill him, without giving him any notice of his danger. These were characters strong enough to give suspicion, if Coleman's letters, and Godfrey's murder, had not seemed such authentic confirmations as left no room to doubt of any thing. Tillotson indeed told me, that Langhorn's wife, who was still as zealous a protestant as he was a papist, came oft to him, and gave him notice of every thing she could discover among them; though she continued a faithful and dutiful wife to the last minute of her husband's life. Upon the first breaking out of the plot, before Oates had spoken a word of commissions, or had accused Langhorn, she engaged her son into some discourse upon those matters, who was a hot, indiscreet papist. He said, their designs were so well laid, it was impossible they could miscarry; and that his father would be one of the greatest men of England: for he had seen a commission from the Pope, constituting him advocate-general. This he told me in Stillingfleet's hearing.

The earl of Shaftesbury had got out of the Tower in the former session, upon his submission, to which it was not easy to bring him; but when he saw an army raised, he had no mind to lie longer in prison. The matter bore a long debate; the motion he had made in the king's bench being urged much against him: but a submission always takes off a contempt, so he got out. And now the duke of Buckingham and he, with the lords Essex and Halifax, were the governing men among the lords. Many hard things were said against the duke: yet when they tried to carry an address to be made to the king to send him away from court, the majority was against them.

While things were thus in a ferment at London, Bedlow delivered himself to the magistrates of Bristol, pretending he knew the secret of Godfrey's murder. So he was sent up to London. The king told me that when the secretary examined him in his presence, at his first coming he said he knew nothing of the plot, but that he had heard that forty thousand men were to come over from Spain, who were to meet as pilgrims at St. Jago's, and were to be shipped for England; but he knew nothing of any fleet that was to bring them over. So this was looked on as very extravagant. But he said he had seen Godfrey's body at Somerset House, and that he was offered 4000*l.*, by a servant of the lord Bellasis, to assist in carrying it away; but upon that he had gone out of town to Bristol, where he was so pursued with horror, that it forced him to discover it. Bedlow had led a very vicious life. He had gone by many false names, by which he had cheated many persons. He had gone over many parts of France and Spain as a man of quality. And he had made a shift to live on his wits, or rather by his cheats. So a tenderness of conscience did not seem to be that to which he was much subject *. But the very next day after this, when he was brought to the bar of the house of lords, he made a full discovery of his knowledge of the plot, and of the lords in the Tower: for all those against whom Oates had informed were now prisoners. The king was upon this convinced that some had been with Bedlow after he had been before him, who had instructed him in this narration, of which he had said the night before that he knew nothing; and yet he not only confirmed the main parts of Oates's discoveries, but added a great deal to them. And he now pretended that his rambling over so many places of Europe was all in order to the carrying on this design; that he was trusted with the secret, and had opened many of the letters which he was employed to carry.

* William Bedlow had formerly been a servant to lord Bellasis, but afterwards, obtaining an ensigncy, served with the army in Flanders. About Michaelmas, 1674, he came over with a recommendation from the English abbess at Dunkirk, and by degrees becoming acquainted with the Jesuits, was finally employed by them confidentially, and travelled over the Continent in various disguises as their agent.—(Hist. of the Plot, p. 127.) When he came to London from Bristol, he was lodged at Whitehall, and a guard assigned him. The house of commons voted him 500*l.* for his services.—(Rapin's History.)

Here were now two witnesses to prove the plot, as far as swearing could prove it. And among the papers of the Jesuits, that were seized on when they were clapped up, two letters were found that seemed to confirm all. One from Rome mentioned the sending over the patents: of which it was said in the letter, that they guessed the contents, though their patrons there carried their matters so secretly, that nothing was known but as they thought fit. The Jesuits, when examined upon this, said these were only patents with relation to the offices in their order. Another letter was written to a Jesuit in the country, citing him to come to London by the 24th of April; which was the day in which Oates swore they held their consult, and that fifty of them had signed the resolution of killing the king, which was to be executed by Grove and Pickering. In the end of that letter it was added "I need not enjoin secrecy, for the nature of the thing requires it." When the Jesuit was examined to this, he said it was a summons for a meeting according to the rule of their order; and they being to meet during the sitting of the parliament, that was the particular reason for enjoining secrecy. Yet, while men's minds were strongly possessed, these answers did not satisfy, but were thought only shifts.

At this time Carstairs, of whose behaviour in Scotland mention has been made, not having met with those rewards that he expected, came up to London, to accuse duke Lauderdale as designing to keep up the opposition that was made to the laws in Scotland, even at the time that he seemed to prosecute conventicles with the greatest fury; for that he had often drawn the chief of their teachers into such snares, that upon the advertisements that he gave they might have been taken, but that duke Lauderdale had neglected it; so he saw he had a mind that conventicles should go on, at the same time that he was putting the country in such a flame to punish them. This he undertook to prove by those witnesses of whom on other occasions he had made use. He also confessed the false date of that warrant upon which Baillie had been censured. He put all this in writing and gave it to the marquis of Athol; and pressed him to carry him to duke Hamilton and the earl of Kincardine, that he might beg their pardon and be assured of their favour. I was against the making use of so vile a man, and would have nothing to do with him. He made application to lord Cavendish, and to some of the house of commons, to whom I gave such a character of him, that they would see him no more.

While he was thus looking about where he could find a lucky piece of villany, he happened to go into an eating-house in Covent Garden, that was over against the shop of one Staley, the popish banker, who had been in great credit, but was then under some difficulties: for all his creditors came to call for their money. Staley happening to be in the next room to Carstairs, Carstairs pretended he heard him say in French, that the king was a rogue, and persecuted the people of God; and that he himself would stab him if nobody else would. The words were written down, which he resolved to swear against him. So next morning he and one of his witnesses went to him, and told him what they would swear against him, and asked a sum of money of him. He was in much anxiety and saw great danger on both hands. Yet he chose rather to leave himself to their malice than be preyed on by them. So he was seized on, and they swore the words against him; and he was appointed to be tried within five days. When I heard who the witnesses were, I thought I was bound to do what I could to stop it. So I sent both to the lord-chancellor*, and to the attorney-general, to let them know what profligate wretches these witnesses were. Jones, the attorney-general, took it ill of me, that I should disparage the king's evidence. The thing grew public, and raised great clamour against me. It was said, I was taking this method to get into favour at court. I had likewise observed to several persons of weight how many incredible things there were in the evidence that was given; I wished they would make use of the heat the nation was in to secure us effectually from popery; we saw certain evidence to carry us so far as to graft that upon it; but I wished they would not run too hastily to the taking men's lives away upon such testimonies. Lord Hollis had more temper than I expected from a man of his heat. Lord Halifax was of the same mind. But the earl of Shaftesbury could not bear the discourse. He said, we must support the

* Sir Heneage Finch, Baron Finch, afterwards Earl of Nottingham.

evidence, and that all those who undermined the credit of the witnesses were to be looked on as public enemies. And so inconstant a thing is popularity, that I was most bitterly railed at by those who seemed formerly to put some confidence in me. It went so far that I was advised not to stir abroad for fear of public affronts. But these things did not daunt me. Staley was brought to his trial, which did not hold long. The witnesses gave a full evidence against him, and he had nothing to offer to take away their credit. He only showed how improbable it was that, in a public house, he should talk such things with so loud a voice as to be heard in the next room, in a quarter of the town where almost everybody understood French. He was cast * ; and he prepared himself very seriously for death. Dr. Lloyd went to see him in prison. He was offered his life if he would discover their plots. He protested he knew of none ; and that he had not said the words sworn against him, nor anything to that purpose. And he died the first of those who suffered on the account of the plot. Duke Lauderdale, having heard how I had moved in this matter, railed at me with open mouth. He said I had studied to save Staley for the liking I had to any one that would murder the king. And he infused this into the king, so that he repeated it in the house of lords to a company that were standing about him.

Yet so soon could the king turn to make use of a man whom he had censured so unmercifully, that two days after this he sent the earl of Dunbarton, that was a papist and had been bred in France, and was duke Hamilton's brother, to me, to desire me to come to him secretly, for he had a mind to talk with me. He said he believed I could do him service if I had a mind to it. And the see of Chichester being then void, he said, he would not dispose of it till he saw whether I would deserve it or not. I asked if he fancied I would be a spy, or betray anybody to him. But he undertook to me that the king should ask me no question, but should in all points leave me to my liberty.

An accident fell in before I went to him, which took off much from Oates's credit. When he was examined by the house of lords, and had made the same narrative to them that he had offered to the commons, they asked him if he had now named all the persons whom he knew to be involved in the plot ? He said there might be some inferior persons whom he had perhaps forgotten, but he had named all the persons of note. Yet, it seems, afterwards he bethought himself ; and Mrs. Elliot, wife to Elliot of the bedchamber, came to the king and told him Oates had somewhat to swear against the queen, if he would give way to it. The king was willing to give Oates line enough, as he expressed it to me, and seemed to give way to it. So he came out with a new story, that the queen had sent for some Jesuits to Somerset House ; and that he went along with them, but stayed at the door when they went in : where he heard one, in a woman's voice, expressing her resentments of the usage she had met with, and assuring them she would assist them in taking off the king. Upon that he was brought in, and presented to her ; and there was then no other woman in the room but her. When he was bid describe the room, it proved to be one of the public rooms of that court, which are so great that the queen, who was a woman of a low voice, could not be heard over it, unless she had strained for it. Oates, to excuse his saying that he could not lay anything to the charge of any besides those he had already named, pretended that he thought then it was not lawful to accuse the queen. But this did not satisfy people. Bedlow, to support this, swore that, being once at chapel at Somerset House, he saw the queen, the duke, and some others, very earnest in discourse in the closet above ; and that one came down with much joy and said the queen had yielded at last ; and that one explained this to him beyond sea, and said it was to kill the king. And, besides Bedlow's oath that he saw Godfrey's body in Somerset House, it was remembered that at that time the queen was for some days in close retirement, that no person was admitted. Prince Rupert came then to wait on her, but was denied access. This raised a strange suspicion of her. But the king would not suffer that matter to go any farther †.

* See "State Trials."

† The testimony of Bedlow and Oates is given in the "Clarendon Correspondence," i. 52. Charles the Second, upon this occasion, acted with honourable firmness. "They think," he observed, after hearing the evidence, "I have a mind to a new wife ; but for all that I will not see an innocent woman abused." Oates had now gone too far ; he was closely imprisoned and his papers seized.—(Ralph's Hist. of England ; Grey's Debates, vi. 291.) In this last authority it will be seen that the house of commons passed a resolution, to request the peers to join them in an address to the king, for the removal of the queen and all papists from about his person.

While examinations were going on, and preparation was making for the trial of the prisoners, a bill was brought into the house of commons, requiring all members of either house, and all such as might come into the king's court, or presence, to take a test against popery; in which not only transubstantiation was renounced, but the worship of the Virgin Mary and the Saints, as it was practised in the church of Rome, was declared to be idolatrous. This passed in the house of commons without any difficulty. But in the house of lords, Gunning, bishop of Ely, maintained that the church of Rome was not idolatrous. He was answered by Barlow, bishop of Lincoln *. The lords did not much mind Gunning's arguments, but passed the bill. And though Gunning had said that he could not take that test with a good conscience, yet, as soon as the bill was passed, he took it in the crowd with the rest. The duke got a proviso to be put in it for excepting himself. He spoke upon that occasion with great earnestness and with tears in his eyes. He said he was now to cast himself upon their favour in the greatest concern he could have in this world. He spoke much of his duty to the king, and of his zeal for the nation; and solemnly protested that, whatever his religion might be, it should only be a private thing between God and his own soul, and that no effect of it should ever appear in the government. The proviso was carried for him by a few voices †. And, contrary to all men's expectations, it passed in the house of commons. There was also a proviso put in, excepting nine ladies about the queen. And she said she would have all the ladies of that religion cast lots who should be comprehended. Only she named the duchess of Portsmouth as one whom she would not expose to the uncertainty of a lot, which was not thought very decent in her, though her circumstances at that time required an extraordinary submission to the king in everything.

Coleman was brought to his trial. Oates and Bedlow swore flatly against him, as was mentioned before. He denied that he had ever seen either the one or the other of them in his whole life: and defended himself by Oates not knowing him, when they were first confronted, nor objecting those matters to him for a great while after. He also pressed Oates to name the day in August in which he had sent the fourscore guineas to the four ruffians. But Oates would fix on no day, though he was very punctual in matters of less moment. Coleman had been out of town almost that whole month. But no day being named, that served him in no stead. He urged the improbability of his talking to two such men, whom he had, by their own confession, never seen before. But they said, he was told that they were trusted with the whole secret. His letters to P. de la Chaise were the heaviest part of the evidence. He did not deny that there were many impertinent things in his letters; but he said he intended nothing in them, but the king's service and the duke's; he never intended to bring in the catholic religion by rebellion or by blood, but only by a toleration; and the aid that was prayed from France was only meant the assistance of money and the interposition of that court. After a long trial he was convicted, and sentence passed upon him to die as a traitor. He continued to his last breath denying every tittle of that which the witnesses had sworn against him. Many were sent to him from both houses, offering to interpose for his pardon if he would confess. He still protested his innocence, and took great care to vindicate the duke. He said, his own heat might make him too forward; for, being persuaded of the truth of his religion, he could not but wish that all others were not only almost, but altogether, such as he was, except in that chain: for he was then in irons. He confessed he had mixed too much interest for raising himself in all he did; and that he had received 2500 guineas from the French ambassador, to gain some friends to his master,

* Dr. Thomas Barlow was a native of Westmorland, and born in 1607. He was educated at Appleby Free-school, and Queen's College, Oxford. His political principles seem to have been always to submit to the prevailing power. He was promoted, or at least favoured, by Charles the First, the Parliament, Charles the Second, James the Second, and William the Third. As a philosopher, he is an instance how prejudices cling to an old man, for he reprobated and opposed the Royal Society and Experimental Philosophy that was superseding the dogmatism of Aristotle. In his religious opinions, he was an intemperate Calvinist; but a friend of general toleration. As a bishop, he neglected his duty, for he never was in his cathedral, or visited his diocese; so that living constantly at Bugden, he acquired the description of "the Bishop of Bugden that never saw Lincoln." He is most to be estimated as a scholar, a metaphysician, and the friend of literary men. He was made bishop of Lincoln in 1675. He died in 1691.—Wood's Athenæ Oxon.; Biog. Britan.

† The majority exceeded the minority by only two.—Chandler's Debates.

but that he had kept them to himself: he had acted by order in all that he had done; and he believed the king knew of his employment, particularly that at Brussels. But though he seemed willing to be questioned concerning the king, the committee did not think fit to do it, nor to report what he said concerning it; only in general they reported that he spoke of another matter, about which they did not think fit to interrogate him, nor to mention it. Littleton was one of the committee, and gave me an account of all that passed that very night. And I found his behaviour made great impression on them all. He suffered with much composedness and devotion; and died much better than he had lived. It was given out at that time, to make the duke more odious, that Coleman was kept up from making confessions, by the hopes the duke sent him of a pardon at Tyburn. But he could not be so ignorant as not to know that, at that time, it was not in the king's power to pardon him while the tide went so high *.

The nation was now so much alarmed that all people were furnishing themselves with arms, which heightened the jealousy of the court. A bill passed in both houses for raising all the militia, and for keeping it together for six weeks; a third part, if I remember right, being to serve a fortnight, and so round. I found some of them hoped when that bill passed into a law they would be more masters, and that the militia would not separate till all the demands of the two houses should be granted. The king rejected the bill when offered to him for his assent †.

I waited often on him all the month of December. He came to me to Chiffinch's, a page of the back stairs, and kept the time he assigned me to a minute. He was alone, and talked much and very freely with me. We agreed in one thing, that the greatest part of the evidence was a contrivance. But he suspected some had set on Oates, and instructed him: and he named the earl of Shaftesbury. I was of another mind. I thought the many gross things in his narrative showed there was no abler head than Oates, or Tonge, in the framing it; and Oates in his first story had covered the duke and the ministers so much, that from thence it seemed clear that lord Shaftesbury had no hand in it, who hated them much more than he did popery. He fancied there was a design of a rebellion on foot. I assured him I saw no appearances of it. I told him there was a report breaking out, that he intended to legitimate the duke of Monmouth. He answered quickly, that, as well as he loved him, he had rather see him hanged. Yet he apprehended a rebellion so much that he seemed not ill-pleased that the party should flatter themselves with that imagination, hoping that would keep them quiet in a dependence upon himself: and he suffered the duke of Monmouth to use all methods to make himself popular, reckoning that he could keep him in his own management. He was surprised when I told him that Coleman had insinuated that he knew of all their foreign negotiations, or at least he seemed so to me. I pressed him much to oblige the duke to enter into conferences with some of our divines, and to be present at them himself. This would very much clear him of jealousy, and might have a good effect on his brother; at least it would give the world some hopes: like what Henry the Fourth of France, his grandfather, did, which kept a party firm to him for some time before he changed. He answered that his brother had neither Henry the Fourth's understanding nor his conscience: for he believed that king was always indifferent as to those matters. He would not hearken to this, which made me incline to believe a report I had heard that the duke had got a solemn promise of the king that he would never speak to him of religion. The king spoke much to me concerning Oates's accusing the queen, and acquainted me with the whole progress of it. He said she was a weak woman and had some disagreeable humours, but was not capable of a wicked thing; and, considering his faultiness towards her in other things, he thought it a horrid thing to abandon her. He said he looked on falsehood and cruelty as the greatest crimes in the sight of God; he knew he had led a bad life, (of which he spoke with some sense,) but he was breaking himself of all his faults; and he would never do a base and wicked thing. I spoke on all these subjects what I thought became me,

* See the "State Trials," where Coleman's letters and the evidence are given verbatim.

† The king said that the bill put the militia for so many days out of his power, and that was what he would not comply with, even for half an hour.—Chandler's Debates, House of Lords, i. 223.

which he took well. And I encouraged him much in his resolution of not exposing the queen to perish by false swearing. I told him there was no possibility of laying the heat that was now raised but by changing his ministry. And I told him how odious the earl of Danby was, and that there was a design against him; but I knew not the particulars. He said he knew that lay at bottom. The army was not yet disbanded, and the king was in great straits for money. The house of commons gave a money bill for this. Yet they would not trust the court with the disbanding the army, but ordered the money to be brought into the chamber of London, and named a committee for paying off and breaking the army. I perceived the king thought I was reserved to him, because I would tell him no particular stories nor name persons. Upon which I told him, since he had that opinion of me, I saw I could do him no service, and would trouble him no more; but he should certainly hear from me, if I came to know anything that might be of any consequence to his person or government.

This favour of mine lasted all the month of December '78. I acquainted him with Carstairs's practice against duke Lauderdale, and all that I knew of that matter; which was the ground on which I had gone with relation to Staley. The king told duke Lauderdale of it, without naming me. And he sent for Carstairs and charged him with it. Carstairs denied it all; but said that duke Hamilton and lord Kincardine had pressed him to do it; and he went to the king and affirmed it confidently to him. He did not name lord Athol, hoping that he would be gentle to him for that reason. The king spoke of this to duke Hamilton, who told him the whole story as I had done. Lord Athol upon that sent for Carstairs and charged him with all this foul dealing, and drew him near a closet where he had put two witnesses. Carstairs said that somebody had discovered the matter to duke Lauderdale, that he was now upon the point of making his fortune, and that if duke Lauderdale grew to be his enemy he was undone. He confessed he had charged duke Hamilton and lord Kincardine falsely; but he had no other way to save himself. After the marquis of Athol had thus drawn everything from him, he went to the king with his two witnesses, and the paper that Carstairs had formerly put in his hand. Carstairs was then with the king, and was with many imprecations justifying his charge against the two lords; but he was confounded when he saw lord Athol. And upon that his villany appeared so evidently, that the part I had acted in that matter was now well understood and approved of. Carstairs died not long after under great horror, and ordered himself to be cast into some ditch as a dog, for he said he was no better. But I could never hear what he said of Staley's business.

While all matters were in this confusion, a new incident happened that embroiled them yet more. The earl of Danby had broken with Montague; but he knew what letters he had written to him and with what secrets he had trusted him. He apprehended Montague might accuse him, so he resolved to prevent him. Jenkins, who was then at Nimeguen, wrote over, according to a direction sent him, as was believed, that he understood that Montague had been in a secret correspondence, and in dangerous practices with the Pope's nuncio at Paris. This was meant of one Con, whom I knew well, who had been long in Rome; and most of the letters between England and Rome passed through his hands. He was a crafty man, and knew news well, and loved money: so Montague made use of him, and gave him money for such secrets as he could draw from him. Upon Jenkins's letter the king sent a message to the house of commons, letting them know that he was resolved to bring Montague to a trial, for being a confederate with Rome, and in the plot to bring in popery; and at the same time he sent to secure his cabinets and papers. This was a device of lord Danby's to find his own letters and destroy them; and then to let the prosecution fall, for they knew they had nothing against Montague. But Montague understood the arts of a court too well to be easily caught, and had put a box, in which those letters were, in sure hands out of the way. A great debate rose upon this matter in the house of commons. It was thought a high breach of privilege to seize on the papers of a member of their house, when there was nothing of treason sworn against him. After some hours spent in the debate, during which Montague sat silent very long; at last, when the box was brought to him from the person to whom he had trusted it, he opened it, and took out two of lord Danby's letters, that contained instructions to him to

treat with the king of France for 300,000*l.* a year, for three years, if a peace succeeded, since it would not be convenient for the king to meet a parliament in all that time, and he was charged to mention no part of this to the secretary of state. Winnington, who from small beginnings, and from as small a proportion of learning in his profession, in which he was rather bold, and ready, than able, was now come to be solicitor-general, fell severely upon those letters. He said, here was a minister who, going out of the affairs of his own province, was directing the king's ambassadors, and excluding the secretary of state, whose office it was, from the knowledge of it; here was the faith of England to our allies, and our interest likewise, set to sale for French money, and that to keep off a session of parliament: this was a design to sell the nation, and to subvert the government; and he concluded that was high treason. Upon which he moved that lord Danby should be impeached of high treason. The earl of Danby's party was much confounded. They could neither deny nor justify his letters. But they argued that they could not be high treason, since no such fact was comprehended in any of the statutes of treason. The letters seemed to be written by the king's order, who certainly might appoint any person he pleased to send his orders to his ministers abroad: they reflected on the business of the earl of Strafford, and on constructive treason, which was a device to condemn a man for a fact against which no law did lie. Maynard, an ancient and eminent lawyer, explained the words of the statute of 25 Edward the Third, that the courts of law could not proceed but upon one of the crimes there enumerated; but the parliament had still a power, by the clause in that act, to declare what they thought was treason. So an act passed, declaring poisoning treason, in king Henry the Eighth's time; and, though by the statute it was only treason to conspire against the prince of Wales, yet if one should conspire against the whole royal family, when there was no prince of Wales, they would without doubt declare that to be high treason.

After a long debate it was voted by a majority of above seventy voices, that lord Danby should be impeached of high treason. And the impeachment was next day carried up to the lords. The earl of Danby justified himself, that he had served the king faithfully and according to his own orders. And he produced some of Montague's letters, to show that at the court of France he was looked on as an enemy to their interest *. He said, they knew him well that judged so of him, for he was indeed an enemy to it; and, among other reasons, he gave this for one: that he knew the French king held both the king's person and government under the last degree of contempt. These words were thought very strange with relation to both kings. A great debate arose in the house of lords concerning the impeachment: whether it ought to be received as an impeachment of high treason, only because the commons added the word high treason in it. It was said, the utmost that could be made of it was to suppose it true; but even in that case they must needs say plainly that it was not within the statute. To this it was answered, that the house of commons that brought up the impeachment were to be heard to two points: the one was to the nature of the crime, the other was to the trial of it; but the lords could not take upon them to judge of either of these till they heard what the commons could offer to support the charge; they were bound therefore to receive the charge, and to proceed according to the rules of parliament, which were to commit the person so impeached, and then give a short day for his trial: so it would be soon over, if the commons could not prove the matter charged to be high treason. The debate went on with great heat on both sides; but the majority was against the commitment. Upon this, it was visible the commons would have complained that the lords denied them justice. So there was no hope of making up the matter. And upon that the parliament was prorogued †.

* Two of these letters, with the speech made by lord Danby, were published in a small pamphlet. Penes mihi.

† Mr. Ralph Montague, whilst ambassador in France, and without consulting our government, had obtained a seat in the house of commons for the town of Northampton, evidently with the intention of obtaining its especial protection from the storm that would soon burst upon him; for Mr. Harbord boasted, in the course of a debate, that for this purpose he had exerted himself in securing Mr. Montague's election. The latter left Paris without the king's knowledge, and took his seat. Immediately after, sir John Ernly, chancellor of the exchequer, informed the house that the king, having received information that Mr. Montague had held private conferences with the pope's nuncio, had caused his papers to be seized. This was whilst he was attending the house, for he there received a letter from his wife, to inform him of the seizure. Mr. Montague told the house that he believed this was

This was variously censured. The court condemned Montague for revealing the king's secrets. Others said, that since lord Danby had begun to fall on him, it was reasonable and natural for him to defend himself. The letters did cast a very great blemish, not only on lord Danby, but on the king, who, after he had entered into alliances, and had received great supplies from his people to carry on a war, was thus treating with France for money, which could not be asked or obtained from France on any other account but that of making the confederates accept of lower terms than otherwise they would have stood on: which was indeed the selling of the allies and of the public faith. All that the court said in excuse for this was, that since the king saw a peace was resolved on, after he had put himself to so great a charge to prepare for war, it was reasonable for him to be reimbursed as much as he could from France. This was ordinary in all treaties, where the prince that desired a peace was made to buy it. This indeed would have justified the king, if it had been demanded above board, but such underhand dealing was mean and dishonourable; and it was said that the States went into the peace with such unreasonable earnestness upon the knowledge, or at least the suspicion, that they had of such practices. This gave a new wound to the king's credit abroad, or rather it opened the old one; for indeed, after our breaking both the treaty of Breda and the Triple Alliance, we had not much credit to lose abroad. None gained so much by this discovery as secretary Coventry, since now it appeared that he was not trusted with those ill practices. He had been severely fallen on for the famed saying of the murder of forty men. Birch aggravated the matter heavily, and said, it seemed he thought the murder of forty men a very small matter, since he would rather be guilty of it than oppose an alliance made upon such treacherous views. Coventry answered, that he always spoke to them sincerely, and as he thought; and that if an angel from Heaven should come and say otherwise, (at this they were very attentive, to see how he could close a period so strangely begun,) he was sure he should never get back to Heaven again, but would be a fallen and a lying angel. Now the matter was well understood, and his credit was set on a sure foot.

After the prorogation, the earl of Danby saw the king's affairs and the state of the nation required a speedy session. He saw little hope of recovering himself with that parliament,

done to obtain some letters of great consequence, which he had to produce, showing the designs of a great minister of state. But he had secured these documents elsewhere, and, being produced, exposed the base bribe stipulated and accepted by the king, when concluding the peace with France. The most notable paragraphs were these: "In case the conditions of peace shall be accepted, the king expects to have 6,000,000 of livres (300,000*l.*), yearly, for three years, from the time that this agreement shall be signed between his majesty and the king of France; because it will be two or three years before he can hope to find his parliament in humour to give him supplies, after your having made peace with France." Subscribed "*Danby.*"—"To the secretary of state, Coventry, you must not mention one syllable of the money." At the bottom of the letter were these words, "*This* letter is writ by my order. C. R." After a stormy debate, the commons resolved to impeach the lord-treasurer, carl Danby, of high treason; and the articles of impeachment were carried up to the house of lords by sir Henry Capel. —Grey's Debates, vi. 337, &c.

Mr. Montague succeeded to his father's title, lord Montague, of Boughton, in 1683. He was master of the horse to the queen of Charles the Second; and purchased of the earl of Sandwich the mastership of the great wardrobe. His opposition to the ministry, and his prominent conduct in supporting the exclusion of the duke of York from the throne, made it advisable for him to retire into exile. James the Second deprived him of his patent preferment, but William the Third restored it to him, and created him marquis of Mont Hermer. Queen Anne advanced him to the dukedom of Montague. His characteristics were generosity and a love of magnificence. He rebuilt the family seat of Boughton, and erected Bloomsbury, or Montague House, now the British Museum. The duke of Marlborough once complimented him upon the excellency of the *water-works* at Boughton, which enabled Montague to return the compliment, by replying that his grace's *fire-works* deserved more commendation. His second wife was the widow of the second duke of Albemarle; her wealth and pride made her insane, and she was positive in resolving to marry no one below an emperor in dignity. Montague courted her and married her as *Emperor of China*. Lord Ross, who was his rival, addressed to him these verses upon the occasion:—

Insulting rival, never boast
Thy conquest lately won;
No wonder if her heart was lost
Her senses first were gone.

From one that's under Bedlam's laws
What glory can be had?
For love of thee was not the cause;
It proves that she was mad.

Montague only desired wealth for the pleasure of spending it; covetousness was not one of his weaknesses. He refused all the lucrative offices proffered to him; and would never take more than 2,200*l.* annually, from his place, though it was worth much more. Lord Preston disputed his title to it, having himself received it as a gift from James the Second; but the judges having decided in favour of Montague, he generously remitted his opponent all the arrearages, and paid his costs attending the suit. He died in 1709.—Grainger's Biog. Hist., and Noble's Continuation.

in which so great a majority were already so deeply engaged. So he entered into a treaty with some of the country party for a new parliament. He undertook to get the duke to be sent out of the way against the time of its meeting. Lord Hollis, Littleton, Boscawen, and Hambden, were spoken to. They were all so apprehensive of the continuance of that parliament, and that another set of ministers would be able to manage them as the court pleased, that they did undertake to save him if he could bring these things about. But it was understood, that he must quit his post and withdraw from affairs. Upon which they promised their assistance to carry off his impeachment with a mild censure. The duke went into the advice of a dissolution upon other grounds. He thought the house of commons had engaged with so much heat in the matter of the plot, that they could never be brought off, or be made more gentle in the matter of religion. He thought a new parliament would act in a milder strain, and not fly so high; or that they would give no money, and so the king and they would break; for he dreaded nothing so much as the bargains that were made with the present parliament, in which popery was always to be the sacrifice. Thus both the duke and lord Danby joined in advancing a dissolution, which was not resolved on till the January following.

In December, Ireland, Whitebread, and Fenwick, three Jesuits, and Grove and Pickering, two of the servants in the queen's chapel, were brought to their trial. Oates and Bedlow swore home against Ireland, that in August last he had given particular orders about killing the king. Oates swore the same against the other two Jesuits. But Bedlow swore only upon hearsay against them. So, though they had pleaded to their indictment, and the jury was sworn and the witnesses examined, yet, when the evidence was not found full, their trial was put off to another time, and the jury was not charged with them. This looked as if it was resolved that they must not be acquitted. I complained of this to Jones, but he said they had precedents for it. I always thought that a precedent against reason signified no more but that the like injustice had been done before. And the truth is the crown has, or at least had, such advantages in trials of treason, that it seems strange how any person was ever acquitted. Ireland, in his own defence, proved by many witnesses, that he went from London on the second of August to Staffordshire, and did not come back till the twelfth of September. Yet, in opposition to that, a woman swore that she saw him in London about the middle of August. So, since he might have come up post in one day and gone down in another, this did not satisfy. Oates and Bedlow swore against Grove and Pickering, that they undertook to shoot the king at Windsor; that Grove was to have 1500*l.* for it; and that Pickering chose thirty thousand masses, which, at a shilling a mass, amounted to the same sum; they attempted it three several times with a pistol: once the flint was loose, at another time there was no powder in the pan, and the third time the pistol was charged only with bullets. This was strange stuff. But all was imputed to a special providence of God; and the whole evidence was believed. So they were convicted, condemned, and executed. But they denied to the last every particular that was sworn against them *.

This began to shake the credit of the evidence, when a more composed and credible person came in to support it. One Dugdale, that had been the lord Aston's bailiff, and lived in a fair reputation in the country, was put in prison for refusing the oaths of allegiance and supremacy. He did then, with many imprecations on himself, deny that he knew of any plot. But afterwards he made a great discovery of a correspondence that Evers, the lord Aston's Jesuit, held with the Jesuits in London, who had written to Evers of the design of killing the king, and desired him to find out men proper for executing it, whether they were gentlemen or not. This, he swore, was written plain, in a letter from Whitebread, the provincial, directed to himself; but he knew it was meant for Evers. Eversly and Govan, another Jesuit, pressed this Dugdale to undertake it; they promised he should be canonized for it; and the lord Stafford offered him 500*l.* if he would set about it. He was a man of sense and temper, and behaved himself decently; and had somewhat in his air and deportment that disposed people to believe him: so that the king himself began to think there was somewhat in the plot, though he had very little regard either to Oates or Bedlow.

* See the "State Trials."

Dugdale's evidence was much confirmed by one circumstance. He had talked of a justice of peace in Westminster that was killed on the Tuesday after Godfrey was missed: so that the news of this must have been written from London on the Saturday night's post. He did not think it was a secret, and so he talked of it as news in an alehouse. The two persons he said he spoke it to remembered nothing of it, the one being the minister of the parish; but several others swore they had heard it. He saw this, as he swore, in a letter written by Harcourt, the Jesuit, to Evers, in which Godfrey was named. But he added a strange story to this, which he said Evers told him afterwards: that the duke had sent to Coleman, when he was in Newgate, to persuade him to discover nothing, and that he desired to know of him whether he had ever discovered their designs to any other person; and that Coleman sent back answer, that he had spoken of them to Godfrey, but to no other man. Upon which the duke gave order to kill him. This was never made public till the lord Stafford's trial. And I was amazed to see such a thing break out after so long a silence. It looked like an addition to Dugdale's first evidence; though he had been noted for having brought out all his discoveries at once. The earl of Essex told me he swore it in his first examination; but, since it was only upon hearsay from Evers, and so was nothing in law, and yet would heighten the fury against the duke, the king charged Dugdale to say nothing of it.

At the same time a particular discovery was made of Godfrey's murder. Prance, a goldsmith, that wrought for the queen's chapel, had gone from his house for two or three days, the week before the murder. And one that lodged in his house calling that to mind, upon Bedlow's swearing he saw the body in Somerset House, fancied that this was the time in which he was from home, and that he might be concerned in that matter, though it appeared afterwards that his absence was the week before. He said he went from his own house, fearing to be put in prison, as many were, upon suspicion, or on the account of his religion. Yet upon this information he was seized on, and carried to Westminster. Bedlow accidentally passed by, not knowing anything concerning him, and at first sight he charged somebody to seize on him; for he was one of those whom he saw about Godfrey's body. Yet he denied everything for some days. Afterwards he confessed he was concerned in it, and he gave this account of it: Girald and Kelly, two priests, engaged him and three others into it, who were Green, that belonged to the queen's chapel, Hill, that had served Godden, the most celebrated writer among them, and Berry, the porter of Somerset House. He said these all, except Berry, had several meetings, in which the priests persuaded them it was no sin, but a meritorious action, to despatch Godfrey, who had been a busy man in taking depositions against them, and that the taking him off would terrify others. Prance named an alehouse where they used to meet; and the people of that house did confirm this of their meeting there. After they had resolved on it, they followed him for several days. The morning before they killed him, Hill went to his house to see if he was yet gone out, and spoke to his maid. And, finding he was yet at home, they stayed for his coming out. This was confirmed by the maid, who, upon Hill's being taken, went to Newgate, and in a crowd of prisoners distinguished him, and said he was the person that asked for her master the morning before he was lost. Prance said they dogged him into a place near St. Clement's church, where he was kept till night. Prance was appointed to be at Somerset House at night. And, as Godfrey went by the water-gate, two of them pretended to be hot in a quarrel. And one run out to call a justice of peace, and so pressed Godfrey to go in and part them. He was not easily prevailed on to do it; yet he did at last. Green then got behind him, and pulled a cravat about his neck, and drew him down to the ground and strangled him. Upon that Girald would have run him through; but the rest diverted him from that, by representing the danger of a discovery by the blood being seen there. Upon that they carried his body up to Godden's room, of which Hill had the key, Godden being then in France. Two days after that they removed it to a room across the upper court, which Prance could never describe particularly. And that not being found a convenient place, they carried it back to Godden's lodgings. At last it was resolved to carry it out in the night in a sedan to the remote parts of the town, and from thence to cast it into some ditch. On Wednesday a sedan was provided. And one of the sentinels swore he saw a sedan carried

in; but none saw it brought out. Prance said they carried him out, and that Green had provided a horse, on whose back he laid him, when they were got clear of the town; and then he carried him, as he believed, to the place where his body was found. This was a consistent story, which was supported in some circumstances by collateral proofs. He added another particular, that some days after the fact, those who had been concerned in it, and two others, who were in the secret, appointed to meet at Bow, where they talked much of that matter. This was confirmed by a servant of that house, who was coming in and out to them, and heard them often mention Godfrey's name. Upon which he stood at the door out of curiosity to hearken; but one of them came out and threatened him for it. The priests were not found, but Green, Hill, and Berry, were apprehended upon it. Yet some days after this Prance desired to be carried to the king, who would not see him but in council; and he denied all that he had formerly sworn, and said it was all a fiction. But as soon as he was carried back to prison he sent the keeper of Newgate to the king to tell him that all he had sworn was true, but that the horror and confusion he was in put him on denying it. Yet he went off from this again, and denied everything. Dr. Lloyd was upon this sent to him to talk with him. At first he denied everything to him. But Dr. Lloyd said to me, that he was almost dead through the disorder of his mind and with cold in his body. But after that Dr. Lloyd had made a fire, and caused him to be put in a bed, and began to discourse the matter with him, he returned to his confession: which he did in such a manner, that Lloyd said to me, it was not possible for him to doubt of his sincerity in it.

So, he persisting in his first confession, Green, Hill, and Berry, were brought to their trial. Bedlow and Prance, with all the circumstances formerly mentioned, were the evidence against them. On the other hand, they brought witnesses to prove that they came home in a good hour on the nights, in which the fact was said to be done. Those that lived in Godden's lodgings deposed, that no dead body could be brought thither, for they were every day in the room that Prance had named. And the sentinels of that night of the carrying him out said they saw no sedan brought out. They were, upon a full hearing, convicted and condemned. Green and Hill died, as they had lived, papists, and with solemn protestations denied the whole thing. Berry declared himself a protestant, and that though he had changed his religion for fear of losing his place, yet he had still continued to be one in his heart. He said he looked on what had now befallen him as a just judgment of God upon him for that dissimulation. He denied the whole matter charged on him. He seemed to prepare himself seriously for death, and to the last minute he affirmed he was altogether innocent. Dr. Lloyd attended on him, and was much persuaded of his sincerity. Prance swore nothing against him, but that he assisted in the fact, and in carrying about the dead body. So Lloyd reckoned that those things being done in the night, Prance might have mistaken him for some other person, who might be like him, considering the confusion that so much guilt might have put him in. He therefore believed Prance had sworn rashly with relation to him, but truly as to the main of the fact. The papists took great advantage from Berry's dying protestant, and yet denying all that was sworn against him, though he might have had his life if he would have confessed it. They said this showed it was not from the doctrine of equivocation, or from the power of absolution, or any other of their tenets, that so many died denying all that was sworn against them, but from their own conviction. And indeed this matter came to be charged on Dr. Lloyd, as if he had been made a tool for bringing Berry to this seeming conversion, and that all was done on design to cover the queen. But I saw him then every day, and was well assured that he acted nothing in it but what became his profession with all possible sincerity. Prance began after this to enlarge his discoveries. He said he had often heard them talk of killing the king, and of setting on a general massacre, after they had raised an army. Dugdale also said he had heard them discourse of a massacre. The memory of the Irish massacre was yet so fresh as to raise a particular horror at the very mention of this; though where the numbers were so great as in Ireland, that might have been executed, yet there seemed to be no occasion to apprehend the like, where the numbers were in so great an inequality as they were here. Prance did also swear that a servant of the lord Powis had told him that there was one in their family who had undertaken to kill the king: but that some days after he told him they were now gone

off from that design. It looked very strange, and added no credit to his other evidence, that the papists should be thus talking of killing the king, as if it had been a common piece of news. But there are seasons of believing, as well as of disbelieving; and believing was then so much in season, that improbabilities, or inconsistencies, were little considered. Nor was it safe so much as to make reflections on them. That was called the blasting of the plot, and disparaging the king's evidence; though indeed Oates and Bedlow did, by their behaviour, detract more from their own credit than all their enemies could have done. The former talked of all persons with insufferable insolence; and the other was a scandalous libertine in his whole deportment.

The lord chief justice, at that time, was sir William Scroggs, a man more valued for a good readiness in speaking well, than either for learning in his profession, or for any moral virtue. His life had been indecently scandalous, and his fortunes were very low. He was raised, by the earl of Danby's favour, first to be a judge, and then to be the chief justice. And it was a melancholy thing to see so bad, so ignorant, and so poor a man raised up to that great post. Yet he, now seeing how the stream run, went into it with so much zeal and heartiness, that he was become the favourite of the people. But, when he saw the king had an ill opinion of it, he grew colder in the pursuit of it. He began to neglect and check the witnesses, upon which they, who behaved themselves as if they had been the tribunes of the people, began to rail at him. Yet in all the trials he set himself, even with indecent earnestness, to get the prisoners to be always cast *.

Another witness came in soon after these things, Jennison, the younger brother of a Jesuit, and a gentleman of family and estate. He, observing that Ireland had defended himself against Oates chiefly by this, that he was in Staffordshire from the beginning of August till the 12th of September, and that he had died affirming that to be true, seemed much surprised at it; and upon that turned protestant. For he said he saw him in London on the 19th of August, on which day he fixed upon this account, that he saw him the day before he went down in the stage-coach to York, which was proved by the books of that office to be the 20th of August. He said, he was come to town from Windsor; and hearing that Ireland was in town, he went to see him, and found him drawing off his boots. Ireland asked him news, and, in particular, how the king was attended at Windsor? And when he answered, that he walked about very carelessly with very few about him, Ireland seemed to wonder at it, and said, it would be easy then to take him off. To which Jennison answered quickly, God forbid: but Ireland said, he did not mean that it could be lawfully done. Jennison, in the letter in which he wrote this up to a friend in London, added, that he remembered an inconsiderable passage or two more, and that perhaps Smith (a priest that had lived with his father) could help him to one or two more circumstances relating to those matters: but he protested, as he desired the forgiveness of his sins, and the salvation of his soul, that he knew no more; and wished he might never see the face of God, if he knew any more. This letter was printed; and great use was made of it, to show how little regard was to be had to those denials, with which so many had ended their lives. But this man in the summer thereafter published a long narrative of his knowledge of the plot. He said, himself had been invited to assist in killing the king. He named the four ruffians that went to Windsor

* Sir William Scroggs was born at Deddington, in Oxfordshire, during the year 1623; but, according to sir William Dugdale and North, his father was subsequently a butcher near Smithfield. In 1643 he took his master's degree at Oxford, and would have taken orders, if the civil war had not frustrated his intention. He then devoted himself to the law. In 1669 he was made a serjeant and knighted, and in seven years after he was raised to the bench. Upon this occasion his speech was so excellent that the earl of Northampton, who heard it, told the king that it contained twice as much loyalty as all the sermons he had directed to be printed since his restoration.—(Clarendon Correspondence, i. 2.) In 1678 he was promoted to be lord chief justice of the king's bench, upon the resignation of sir Richard Rainsford. In 1680 he was impeached by the house of commons, and though not convicted, was removed in the following year from the bench. He died in 1683. Wood, who endeavours to conceal his brutal injustice as a judge, can find no cause for praise but his being an eloquent speaker. Swift is more just, when he alludes to the story of the eastern monarch, who had the seat of justice covered with the skin of a judge, executed for his crimes, and adds, "I fancy such a memorial might not have been unuseful to a son of sir William Scroggs; and that both he and his successors would often wriggle in their seats, as long as the cushion lasted."—(Drapier's Letters, No. 5; Wood's Athenæ Oxon.) North describes him as a great voluptuary, and companion of the high court rakes. His debaucheries were egregious and his life loose, which made lord chief justice Hale detest him.—North's Life of Lord Guildford, ii. 123; North's Examen, 568.

to do it: and he thought to have reconciled this to his letter, by pretending these were the circumstances that he had not mentioned in it. Smith did also change his religion; and deposed, that, when he was at Rome, he was told in general of the design of killing the king. He was afterwards discovered to be a vicious man: yet he went no farther than to swear, that he was acquainted with the design in general, but not with the persons that were employed in it. By these witnesses the credit of the plot was universally established. Yet, no real proofs appearing, besides Coleman's letters and Godfrey's murder, the king, by a proclamation, did offer both a pardon and 200*l.* to any one that would come in, and make further discoveries. This was thought too great a hire to purchase witnesses. Money had been offered to those who should bring in criminals. But it was said to be a new and indecent practice to offer so much money to men, that should merit it by swearing; and it might be too great an encouragement to perjury.

While the witnesses were weakening their own credit, some practices were discovered that did very much support it. Reading, a lawyer of some subtilty, but of no virtue, was employed by the lords in the Tower to solicit their affairs. He insinuated himself much into Bedlow's confidence, and was much in his company; and, in the hearing of others, he was always pressing him to tell all he knew. He lent him money very freely, which the other wanted often. And he seemed at first to design only to find out somewhat that should destroy the credit of his testimony. But he ventured on other practices, and offered him much money, if he would turn his evidence against the popish lords only into a hearsay, so that it should not come home against them. Reading said, Bedlow began the proposition to him, and employed him to see how much money these lords could give him, if he should bring them off: upon which, Reading, as he pretended afterwards, seeing that innocent blood was likely to be shed, was willing, even by indecent means, to endeavour to prevent it. Yet he freed the lords in the Tower. He said, they would not promise a farthing: only the lord Stafford said, he would give Reading two or three hundred pounds, which he might dispose of as he pleased. While Reading was driving the bargain, Bedlow was too hard for him at his own trade of craft; for, as he acquainted both prince Rupert, and the earl of Essex, with the whole negotiation, from the first step of it, so he placed two witnesses secretly in his chamber, when Reading was to come to him; and drew him into those discourses, which discovered the whole practice of that corruption. Reading had likewise drawn a paper, by which he showed him with how few and small alterations he could soften his deposition, so as not to affect the lords. With these witnesses, and this paper, Bedlow charged Reading. The whole matter was proved beyond contradiction. And, as this raised his credit, so it laid a heavy load on the popish lords; though the proofs came home only to Reading, and he was set in the pillory for it. Bedlow made a very ill use of this discovery, which happened in March, to cover his having sworn against Whitebread and Fenwick only upon hearsay in December: for, being resolved to swear plain matter upon his own knowledge against them, when they should be brought again on their trial, he said, Reading had prevailed on him to be easy to them, as he called it; and that he had said to him that the lords would take the saving of these Jesuits, as an earnest of what he would do for themselves; though it was not very probable that these lords would have abandoned Ireland, when they took such care of the other Jesuits. The truth was, he ought to have been set aside from being a witness any more, since now by his own confession he had sworn falsely in that trial: he had first sworn, he knew nothing of his own knowledge against the two Jesuits, and afterwards he swore copiously against them, and upon his own knowledge. Wyld, a worthy and ancient judge, said upon that to him, that he was a perjured man, and ought to come no more into courts, but to go home, and repent. Yet all this was passed over, as if it had been of no weight: and the judge was turned out for his plain freedom. There was soon after this another practice discovered concerning Oates. Some that belonged to the earl of Danby conversed much with Oates's servants. They told them many odious things that he was daily speaking of the king, which looked more like one that intended to ruin than to save him. One of these did also affirm, that Oates had made an abominable attempt upon him not fit to be named. Oates smelled this out, and got his servants to deny all that they had said, and to fasten it upon those who had been with them, as a practice of theirs: and they

were upon that likewise set in the pillory. And, to put things of a sort together, though they happened not all at once; one Tasborough, that belonged to the duke's court, entered into some correspondence with Dugdale, who was courting a kinswoman of his. It was proposed, that Dugdale should sign a paper, retracting all that he had formerly sworn, and should upon that go beyond sea, for which he was promised, in the duke's name, a considerable reward. He had written the paper, as was desired; but he was too cunning for Tasborough, and he proved his practices upon him. He pretended he drew the paper only to draw the other further on, that he might be able to penetrate the deeper into their designs. Tasborough was fined, and set in the pillory for tampering thus with the king's evidence.

This was the true state of the plot, and of the witnesses that proved it; which I have opened as fully as was possible for me: and I had particular occasions to be well instructed in it. Here was matter enough to work on the fears and apprehensions of the nation; so it was not to be wondered at, if parliaments were hot, and juries were easy in this prosecution. The visible evidences that appeared, made all people conclude there was great plotting among them. And it was generally believed, that the bulk of what was sworn by the witnesses was true, though they had by all appearance dressed it up with incredible circumstances. What the men of learning knew concerning their principles, both of deposing of kings, and of the lawfulness of murdering them when so deposed, made them easily conclude, that since they saw the duke was so entirely theirs, and that the king was so little to be depended on, they might think the present conjuncture was not to be lost. And since the duke's eldest daughter was already out of their hands, they might make the more haste to set the duke on the throne. The tempers, as well as the morals, of the Jesuits, made it reasonable to believe, that they were not apt to neglect such advantages, nor to stick at any sort of falsehood in order to their own defence. The doctrine of probability, besides many other maxims that are current among them, made many give little credit to their witnesses, or to their most solemn denials, even at their execution. Many things were brought to show, that by the casuistical divinity taught among them, and published by them to the world, there was no practice so bad, but that the doctrines of probability, and of ordering the intention, might justify it. Yet many thought, that, what doctrines soever men might by a subtilty of speculation be carried into, the approaches of death, with the seriousness that appeared in their deportment, must needs work so much on the probity and candour which seemed rooted in human nature, that even immoral opinions, maintained in the way of argument, could not then resist it. Several of our divines went far in this charge against all regard to their dying speeches; of which some of our own church complained, as inhuman and indecent *.

* After reading Oates's "True Narrative"—Jennison's "Narrative"—Prance's "Narrative"—Dugdale's "Information"—the various examinations and speeches in the house of commons, and the evidence given at the trials of the several persons charged with being participators in the popish plot, the editor is perfectly convinced that it never existed except in the minds of Oates, and other equally infamous and perjured witnesses. That the duke of York, Coleman, the Roman Catholic peers, and even the queen of Charles the Second, may have thought, conversed, and even corresponded with Jesuits upon the subject of establishing their religion in this country, may be considered as certain; but that they all plotted together, resolved, and even attempted to murder the king, for the purpose of attaining their object, is supported by no evidence that will justify even suspicion. The witnesses that assert these charges were such as would have been heard and then scouted in a modern court of justice. They were men convicted of the foulest crimes and sins that disgrace our nature; their evidence was prevaricating, contradictory, uncertain in dates, often manifestly false, frequently refuted, and always given with a marked eagerness to convict. The law officers for the crown may be justly excused for the heat they displayed in urging the conviction of the prisoners; but there is no extenuating plea for the intemperate partisanship of the judge who presided at the trials. It was his duty to temper the asperity, to discern the deficiencies of both parties with an unbiassed judgment, and to calm and direct the minds of the jury with whom lay the decision that involved the life of each prisoner; but Scroggs deserted his sacred duty, and vehemently strove to make every verdict a vote of death. He endeavoured to exculpate himself by saying, "it was better to be warm upon the bench than in Smithfield;" but the excuse amounts to no more than that he cared not for the innocent suffering so that he himself escaped, or that he thought certain cruelty and injustice was proper, if done to prevent an uncertain future evil. There is not room in the compass of a note to compare and examine the conflicting evidence relative to this melancholy passage in our national history; those who wish for such an examination will find it in Fox's "James the Second." This powerful-minded man evidently concluded that Dryden was right when he wrote

> "Some truth there was, but dash'd and brew'd with lies."

Sir W. Temple says, "I never saw greater disturbance in men's minds than had been raised by the plot, and the pursuit of it in parliament; it was generally believed by both houses, by city and country, by clergy and laity; yet

In January a new parliament was summoned. The elections were carried with great heat, and went almost everywhere against the court. Lord Danby resolved to leave the treasury at Lady-day; and in that time he made great advantage by several payments which he got the king to order, that were due upon such slight pretences, that it was believed he had a large share of them to himself: so that he left the treasury quite empty. He persuaded the king to send the duke beyond sea, that so there might be no colour for suspecting that the counsels were influenced by him. He endeavoured to persuade the duke, that it was fit for him to go out of the way. If the king and the parliament came to an agreement, he might depend on the promise that the king would make him, of recalling him immediately: and if they did not agree, no part of the blame could be cast on him; which must happen otherwise, if he stayed still at court. Yet no rhetoric would have prevailed on him to go, if the king had not told him positively, it was for both their service, and so it must be done.

Before he went away, the king gave him all possible satisfaction with relation to the duke of Monmouth, who was become very popular, and his creatures were giving it out, that he was the king's lawful son. So the king made a solemn declaration in council, and both signed it, and took his oath on it, that he was never married nor contracted to that duke's mother; nor to any other woman, except to his present queen. The duke was sent away upon very short warning, not without many tears shed by him at parting, though the king shed none. He went first to Holland, and then to Brussels, where he was but coldly received *.

At the opening the parliament in March, the parting with an only brother, to remove all jealousy, was magnified with all the pomp of the earl of Nottingham's eloquence. Lord Danby's friends were in some hopes, that the great services which he had done would make matters brought against him to be handled gently. But in the management he committed some errors, that proved very unhappy to him.

Seymour and he had fallen into some quarrellings, both being very proud and violent in their tempers. Seymour had in the last session struck in with the heat against popery, that he was become popular upon it. So he managed the matter in this new parliament, that though the court named Meres, yet he was chosen speaker. The nomination of the speaker was understood to come from the king, though he was not named as recommending the person: yet a privy counsellor named one; and it was understood to be done by order. And the person thus named was put in the chair, and was next day presented to the king, who approved the choice. When Seymour was next day presented as the speaker, the king refused to confirm the election. He said, he had other occasions for him, which could not

when I talked with some of my friends in private, who ought best to know the bottom of it, they only concluded it was yet mysterious; that they could not say the king believed it; but that the parliament and nation were so generally and strongly possessed with it, that it must be pursued as if it were true, whether it were so or not."

* On the 28th of February, 1679, the king directed to the duke the following letter:—"I have already given you my resolve at large, why I think it fit that you should absent yourself for some time beyond the seas: as I am truly sorry for the occasion, so may you be sure I shall never desire it longer than it will be absolutely necessary for your good, and my service. In the mean time, I think it proper to give it you under my hand, that I expect this compliance from you, and desire it may be as soon as conveniently you can. You may easily believe with what trouble I write, there being nothing I am more sensible of than the constant kindness you have ever had for me. I hope you are as just to me, to be assured that no absence, nor any thing else, can ever change me from being truly and kindly yours, C. R." The duke sailed on the following 3rd of March. The popish plot, the bribes received from France, the impeachment of the earl of Danby, and the debates on the exclusion bill, had so agitated the people of all classes, that there were some well-grounded fears of a fresh civil war breaking out. It was to allay the popular ferment, for all proceedings in favour of the Roman Catholics were attributed to the duke, that the latter was desired to retire into exile. To prevent this necessity, he had been urged by many of his best friends to leave the papal communion and conform to the established church, but, to his credit be it spoken, he conscientiously refused; and it was the dictate of his heart and mind when he wrote thus to Mr. Lawrence Hyde:—"I assure you I will never try that way, though I were sure it would restore me into the good opinion and esteem of the nation, which I once had; and, therefore, I desire that neither you nor none of my friends will ever mention it to me, or flatter themselves that I can ever be brought to it: what I did was never done hastily, and I have expected many years, and been prepared for what has happened to me, and for the worst that can yet befal me."—(Clarendon Correspondence, i. 45.) The conduct of the duke at the time of his exile was in other respects false, and therefore contemptible. He wished to pass his period of expatriation in France, but the French king would not permit him. The duke endeavoured to soften him by supplicating his protection, by meanly apologizing for conduct that seemed to be in opposition to that monarch's wishes, and by falsely throwing the blame upon his brother. Louis was softened by this slavish submission, paid him much attention whilst he was at Brussels, and was instrumental in his recal to England.—Dalrymple's Memoirs; Chandler's Debates, &c.

be dispensed with. Upon this great heats arose, with a long and violent debate. It was said, the house had the choice of their speaker in them, and that their presenting the speaker was only a solemn shewing him to the king, such as was the presenting the lord mayor and sheriffs of London in the exchequer; but that the king was bound to confirm their choice. This debate held a week, and created much anger.

A temper was found at last. Seymour's election was let fall; but the point was settled, that the right of electing was in the house, and that the confirmation was a thing of course. So another was chosen speaker *. And the house immediately fell on lord Danby. Those who intended to serve him said, the heat this dispute had raised, which was imputed wholly to him, had put it out of their power to do it: but he committed other errors. He took out a pardon under the great seal. The earl of Nottingham durst not venture to pass it; so the king ordered the seal to be put to the pardon in his own presence. And thus, according to lord Nottingham's figure, when he was afterwards questioned about it, it did not pass through the ordinary methods of production, but was an immediate effect of his majesty's power of creating †. He also took out a warrant to be marquis of Caermarthen. And the king, in a speech to the parliament, said, he had done nothing but by his order; and therefore he had pardoned him; and, if there was any defect in his pardon, he would pass it over and over again, till it should be quite legal.

Upon this a great debate was raised. Some questioned whether the king's pardon, especially when passed in bar to an impeachment, was good in law: this would encourage ill ministers, who would be always sure of a pardon, and so would act more boldly, if they saw so easy a way to be secured against the danger of impeachments: the king's pardon did indeed secure one against all prosecution at his suit: but, as in the case of murder, an appeal lay, from which the king's pardon did not cover the person, since the king could no more pardon the injuries done his people, than he could forgive the debts that were owing to them; so from a parity of reason it was inferred, that since the offences of ministers of state were injuries done the public, the king's pardon could not hinder a prosecution in parliament, which seemed to be one of the chief securities, and most essential parts of our constitution. Yet on the other hand it was said, that the power of pardoning was a main article of the king's prerogative; none had ever yet been annulled: the law had made this one of the

* This transaction is told somewhat confusedly. The due course of events appears to have been as follows:—After the king and the lord chancellor (Finch) had severally addressed the assembled parliament in very conciliatory speeches, the commons were directed to return to their house and choose their speaker. Colonel Birch proposed "the right honourable Edward Seymour, knight of the shire for the county of Devon, treasurer of the navy, one of the privy council, and speaker of the last parliament." Mr. Seymour was unanimously elected, and it being known to the house that he was to be rejected, he was instructed not to make the usual application to be excused, which it was known would be accepted, but merely to announce his unanimous election, which he did, and concluded by adding, "And now I am come hither for your majesty's approbation, which, if your majesty will please to grant, I shall do them and you the best service I can." This abrupt announcement rendered useless the prepared speech of the chancellor; but after a slight pause and consultation, his lordship with a good deal of tact told the speaker, that the king reserved him for other services, and desired the commons "to make another choice." Upon their return to their house, the chancellor of the exchequer, sir John Early, proposed sir Thomas Meres, as a proper person for speaker: but after a very warm debate, the original choice was adhered to, and finally the parliament was prorogued for a few days. When it met again, the commons and the king both yielded by adopting Mr. serjeant Gregory, as speaker.—Grey's Debates; Chandler's Debates; Ferguson's Growth of Popery, &c. It certainly was a most unpropitious mode of beginning; what the king said, he wished to be "a healing parliament." Such a piece of ill policy would be without any assignable reason, if sir W. Temple had not recorded that Seymour's rejection arose from a pique that existed between him and the wife of the lord treasurer!

† The house of commons appointed a committee to enquire into the passing this pardon, and the committee reported that the lord chancellor said, "he neither advised it, drew it, or altered one word of it." As to the manner, &c. the treasurer (Danby, in whose favour it was) delivered it to him, and asked him "whether *omnia et omnimoda indictamenta, &c. impetitus vel non impetitus* did extend to the impeachment?" The treasurer further desired "it might pass with all the privacy in the world, because he intended not to make use of it, except false witnesses should be produced against him at his trial." Thereupon the chancellor wrote to the treasurer a letter, "that it was for the service of the king that the pardon should be considered, and if he would take his advice he should let the pardon pass in the regular course, to prevent resuming the impeachment against him." The treasurer told him the king was resolved to have it done in all privacy; and the next day the king commanded the seal to be brought to him, when his majesty wrote his name on the top of the parchment, and the person who usually carries the purse set the seal to it. The chancellor considered that he had not then the custody of the seal, and he did not make any memorial of it in his office, and that it was a stamped pardon by creation.—Grey's Debates, vii. 55.

trusts of the government, without any limitation upon it: all arguments against it might be good reasons for the limiting it for the future: but what was already past was good in law, and could not be broken through. The temper proposed was, that, upon lord Danby's going out of the way, an act of banishment should pass against him, like that which had passed against the earl of Clarendon. Upon that, when the lords voted that he should be committed, he withdrew. So a bill of banishment passed in the house of lords, and was sent down to the commons. Winnington fell on it there in a most furious manner. He said, it was an act to let all ministers see what was the worst thing that could happen to them, after they had been engaged in the blackest designs, and had got great rewards of wealth and honour: all they could suffer was, to be obliged to live beyond sea. This enflamed the house so, that those who intended to have moderated that heat, found they could not stop it. Littleton sent for me that night, to try if it was possible to mollify Winnington. We laid before him, that the king seemed brought near a disposition to grant every thing that could be desired of him; and why must an attainder be brought on, which would create a breach that could not be healed? The earl of Danby was resolved to bear a banishment; but would come in, rather than be attainted, and plead his pardon: and then the king was upon the matter made the party in the prosecution, which might ruin all: we knew how bad a minister he had been, and had felt the ill effects of his power; but the public was to be preferred to all other considerations. But Winnington was then so entirely in Montague's management, and was so blown up with popularity, and so much provoked by being turned out of the place of solicitor-general, that he could not be prevailed on. It was offered afterwards from the court, as Littleton told me, both that lord Danby should by act of parliament be degraded from his peerage, as well as banished; and that an act should pass, declaring for the future no pardon should be pleaded in bar to an impeachment: but the fury of the time was such, that all offers were rejected. And so a very probable appearance of settling the nation was lost: for the bill for banishing lord Danby was thrown out by the commons; and instead of it a bill of attainder was brought in. The treasury was put in commission. The earl of Essex was put at the head of it; and Hyde and Godolphin were two of the commission. The earl of Sunderland was brought over from France, and made secretary of state; and lord Essex and lord Sunderland joined with the duke of Monmouth, to press the king to change his counsels, and to turn to another method of government, and to take the men of the greatest credit into his confidence. Lord Essex was much blamed for going in so early into the court, before the rest were brought in. He said to me, he did it in the prospect of working the change that was afterwards effected. Lord Sunderland also told me, that the king was easy in the bringing in lord Shaftesbury; for he thought he was only angry in revenge, because he was not employed; but that he had so ill an opinion of lord Halifax, that it was not easy to get over that. The duke of Monmouth told me, that he had as great difficulty in overcoming that as ever in any thing that he studied to bring the king to.

At last the king was prevailed on to dismiss the whole council, which was all made up of lord Danby's creatures: and the chief men of both houses were brought into it. This was carried with so much secrecy, that it was not so much as suspected, till the day before it was done *. The king was weary of the vexation he had been long in, and desired to be set at ease. And at that time he would have done any thing to get an end put to the plot, and to the fermentation that was now over the whole nation: so that, if the house of commons would have let the matter of lord Danby's pardon fall, and have accepted of limitations on his brother, instead of excluding him, he was willing to have yielded in every thing else. He put likewise the admiralty and ordnance into commissions; out of all which the duke's creatures were so excluded, that they gave both him and themselves for lost. But the hatred that Montague bore lord Danby, and lord Shaftesbury's hatred to the duke, spoiled all this. There were also many in the house of commons, who finding themselves forgotten, while others were preferred to them, resolved to make themselves considerable. And they infused into a great many a mistrust of all that was doing. It was said the king was still what he was before; no change appeared in him: and all this was only an artifice to lay the heat that

* See Sir W. Temple's "Memoirs" for very full particulars of these changes, i. 333, fol.

was in the nation, to gain so many over to him, and so to draw money from the commons. So they resolved to give no money till all other things should be first settled. No part of the change that was then made was more acceptable than that of the judges: for lord Danby had brought in some sad creatures to those important posts. And Jones had the new modelling of the bench; and he put in very worthy men, in the room of those ignorant judges that were now dismissed.

The main point in debate was, what security the king should offer to quiet the fears of the nation upon the account of the duke's succession. The earl of Shaftesbury proposed the excluding him simply, and making the succession to go on, as if he was dead, as the only mean that was easy and safe both for the crown and the people: this was nothing but the disinheriting the next heir, which certainly the king and parliament might do, as well as any private man might disinherit his next heir, if he had a mind to it. The king would not consent to this. He had faithfully promised the duke that he never would; and he thought, if acts of exclusion were once begun, it would not be easy to stop them; but that upon any discontent at the next heir, they would be set on. Religion was now the pretence; but other pretences would be found out, when there was need of them: this insensibly would change the nature of the English monarchy; so that from being hereditary it would become elective. The lords of Essex and Hallifax upon this proposed such limitations of the duke's authority, when the crown should devolve on him, as would disable him from doing any harm, either in church or state: such as the taking out of his hand all power in ecclesiastical matters, the disposal of the public money, with the power of peace and war, and the lodging these in both houses of parliament; and that whatever parliament was in being, or the last that had been in being at the king's death, should meet, without a new summons, upon it, and assume the administration of affairs. Lord Shaftesbury argued against this as much more prejudicial to the crown than the exclusion of one heir: for this changed the whole government, and set up a democracy instead of a monarchy. Lord Hallifax's arguing now so much against the danger of turning the monarchy to be elective, was the more extraordinary in him, because he had made an hereditary monarchy the subject of his mirth; and had often said, "who takes a coachman to drive him, because his father was a good coachman?" Yet he was now jealous of a small slip in the succession: but at the same time he studied to infuse into some a zeal for a commonwealth. And to these he pretended, that he preferred limitations to an exclusion; because the one kept up the monarchy still, only passing over one person; whereas the other brought us really into a commonwealth, as soon as we had a popish king over us. And it was said by some of his friends, that the limitations proposed were so advantageous to public liberty, that a man might be tempted to wish for a popish king, to come at them *.

Upon this great difference of opinion, a faction was quickly formed in the new council. The lords Essex, Sunderland, and Hallifax declaring for limitations, and against the exclusion; while lord Shaftesbury, now made president of the council, declared highly for it. They took much pains on him to moderate his heat; but he was become so intolerably vain, that he would not mix with them, unless he might govern. So they broke with him; and the other three were called *the triumvirate*. Lord Essex applied himself to the business of the treasury, to the regulating the king's expense, and the improvement of the revenue. His clear, though slow, sense made him very acceptable to the king. Lord Hallifax studied to manage the king's spirit, and to gain an ascendant there by a lively and libertine conversation. Lord Sunderland managed foreign affairs, and had the greatest credit with the duchess of Portsmouth. After it was agreed on to offer the limitations, the lord chancellor by order from the king made the proposition to both houses. The duke was struck with the news of this, when it came to him to Brussels. I saw a letter written by his duchess the next post; in which she wrote, that as for all the high things that were said by their enemies, they looked for them; but that speech of the lord chancellor's was a surprise, and a great mortification to them. Their apprehensions of that did not hang long upon them. The exclusion was

* Sir John Reresby says, that the lord treasurer, Danby, told him, and others of the house of commons, that the king was willing something should be done "To pare the nails of a popish successor," but that he would never suffer the right line of succession to the crown to be interrupted.—Reresby's Memoirs, 70.

become the popular expedient. So after much debating, a bill was ordered for excluding the duke of York. I will give you here a short abstract of all that was said, both within and without doors, for and against the exclusion.

Those who argued for it laid it down for a foundation, that every person, who had the whole right of any thing in him, had likewise the power of transferring it to whom he pleased; so the king and parliament, being entirely possessed of the whole authority of the nation, had a power to limit the succession, and every thing else relating to the nation, as they pleased: and by consequence there was no such thing as a fundamental law, by which the power of parliament was bound up: for no king and parliament in any former age had a power over the present king and parliament; otherwise the government was not entire, nor absolute. A father, how much soever determined by nature to provide for his children, yet had certainly a power of disinheriting them, without which, in some cases, the respect due to him could not be preserved. The life of the king on the throne was not secure, unless this was acknowledged: for if the next heir was a traitor, and could not be seized on, the king would be ill served in opposition to him, if he could not bar his succession by an exclusion. Government was appointed for those that were to be governed, and not for the sake of governors themselves: therefore all things relating to it were to be measured by the public interest, and the safety of the people. In none of God's appointments in the Old Testament regard was had to the eldest. Isaac, Jacob, Judah, Ephraim, and more particularly Solomon, were preferred without any regard to the next in line. In the several kingdoms of Europe the succession went according to particular laws, and not by any general law. In England, Spain, and Sweden, the heir general did succeed: whereas it was only the heir male in France and Germany. And whereas the oath of allegiance tied us to the king and his heirs; the word heir was a term that imported that person who by law ought to succeed: and so it fell by law to any person who was declared next in the succession. In England the heir of the king that reigned had been sometimes set aside, and the right of succession transferred to another person. Henry VII. set up his title on his possessing the crown. Henry VIII. got his two daughters, while they were by acts of parliament illegitimated, put in the succession: and he had a power given him to devise it after them, and their issue, at his pleasure. Queen Elizabeth, when she was in danger from the practices of the queen of Scots, got an act to pass asserting the power of the parliament to limit the succession of the crown. It was high treason to deny this during her life, and was still highly penal to this day. All this was laid down in general, to assert a power in the parliament to exclude the next heir, if there was a just cause for it. Now, as to the present case, the popish religion was so contrary to the whole frame and constitution of our government, as well as to that dignity inherent in the crown, of being the head of the church, that a papist seemed to be brought under a disability to hold the crown. A great part of the property of the nation, the Abbey lands, was shaken by the prospect of such a succession. The perfidy and the cruelty of that religion made the danger more sensible. Fires, and courts of inquisition, were that which all must reckon for, who would not redeem themselves by an early and zealous conversion. The duke's own temper was much insisted on. It appeared by all their letters, how much the papists depended on him; and his own deportment shewed, there was good reason for it. He would break through all limitations, and call in a foreign power, rather than submit to them. Some mercenary lawyers would give it for law, that the prerogative could not be limited, and that a law limiting it was void of itself. Revenges for past injuries, when joined to a bigotry in religion, would be probably very violent.

On the other hand, some argued against the exclusion, that it was unlawful in itself, and against the unalterable law of succession; (which came to be the common phrase). Monarchy was said to be by divine right; so the law could not alter what God had settled; yet few went at first so high. Much weight was laid on the oath of allegiance, that tied us to the king's heirs; and whoso was the heir when any man took that oath, was still the heir to him. All lawyers had great regard to fundamental laws. And it was a maxim among our lawyers, that even an act of parliament against Magna Charta was null of itself. There was no arguing from the changes in the course of the succession. These had been the effects of prosperous rebellions: nor from Henry the Seventh's reigning in the right of his

queen, and yet not owning it to be so. Nor was it strange, if in so violent a reign as Henry the Eighth's acts were made in prejudice of the right of blood. But though his daughters were made bastards by two several acts, yet it was notorious they were both born in a state of marriage. And when unlawful marriages were annulled, yet such issue as descended from them *bonâ fide*, used not to be illegitimated. But, though that king made a will pursuant to an act of parliament, excluding the Scottish line, yet such regard the nation had to the next in blood, that, without examining the will, the Scottish line was received. It is true, queen Elizabeth, out of her hatred to the queen of Scots, got the famed act to pass, that declares the parliament's power of limiting the succession: but since that whole matter ended so fatally, and was the great blemish of her reign, it was not reasonable to build much on it. These were the arguments of those, who thought the parliament had not the power to enact an exclusion of the next heir; of which opinion the earl of Essex was at this time. Others did not go on these grounds; but they said, that though a father has indeed a power of disinheriting his son, yet he ought never to exert it but upon a just and necessary occasion. It was not yet legally certain, that the duke was a papist. This was condemning him unheard. A man's conscience was not even in his own power. It seemed therefore to be an unjustifiable severity, to cut off so great a right only for a point of opinion. It is true, it might be reasonable to secure the nation from the ill effects that opinion might have upon them, which was fully done by the limitations; but it was unjust to carry it further. The protestants had charged the church of Rome heavily for the league of France, in order to the excluding the house of Bourbon from the succession to the crown of France, because of heresy: and this would make the charge return back upon us, to our shame. In the case of infancy, or lunacy, guardians were assigned; but the right was still in the true heir. A popish prince was considered as in that state; and these limitations were like the assigning him guardians. The crown had been for several ages limited in the power of raising money: to which it may be supposed a high-spirited king did not easily submit, and yet we had long maintained this: and might it not be hoped, the limitations proposed might be maintained in one reign, chiefly considering the zeal and the number of those who were concerned to support them? Other princes might think themselves obliged in honour and religion to assist him, if he was quite excluded: and it might be the occasion of a new popish league, that might be fatal to the whole protestant interest: whereas, if the limitations passed, other princes would not so probably enter into the laws and establishment settled among us. It was said, many in the nation thought the exclusion unlawful; but all would jointly concur in the limitations: so this was the securest way, that comprehended the greatest part of the nation; and probably Scotland would not go into the exclusion, but merit at the duke's hands by asserting his title. So here was a foundation of war round about us, as well as of great distractions among ourselves: some regard was to be had to the king's honour, who had so often declared, he would not consent to an exclusion; but would to any limitations, how hard soever.

These were the chief arguments upon which this debate was managed. For my own part, I did always look on it as a wild and extravagant conceit, to deny the lawfulness of an exclusion in any case whatsoever. But for a great while I thought the accepting the limitations was the wisest and best method. I saw the driving on the exclusion would probably throw us into great confusions; and therefore I made use of all the credit I had with many in both houses, to divert them from pursuing it, as they did, with such eagerness, that they would hearken to nothing else. Yet, when I saw the party so deeply engaged, and so violently set upon it, both Tillotson and I, who thought we had some interest in lord Halifax, took great pains on him, to divert him from opposing it so furiously as he did: for he became as it were the champion against the exclusion. I foresaw a great breach was like to follow; and that was plainly the game of popery, to keep us in such an unsettled state. This was like either to end in a rebellion, or in an abject submission of the nation to the humours of the court. I confess, that which I apprehended most was rebellion, though it turned afterwards quite the other way. But men of more experience, and who had better advantages to make a true judgment of the temper of the nation, were mistaken as well as myself. All the progress that was made in this matter in the present parliament was, that the bill of

exclusion was read twice in the house of commons; but the parliament was dissolved before it came to a third reading *.

The earl of Danby's prosecution was the point on which the parliament was broken. The bill of attainder for his wilful absence was passed by the commons, and sent up to the lords. But, when it was brought to the third reading, he delivered himself, and was upon that sent to the Tower: upon which he moved for his trial. The man of the law he depended most upon was Pollexfen, an honest, and learned, but perplexed lawyer †. He advised him positively to stand upon his pardon. It was a point of prerogative never yet judged against the crown: so he might in that case depend upon the house of lords, and on the king's interest there. It might perhaps produce some act against all pardons for the future: but he thought he was secure in his pardon. It was both wiser, and more honourable, for the king, as well as for himself, to stand on this, than to enter into the matter of the letters, which would occasion many indecent reflections on both. So he settled on this, and pleaded his pardon at the lords' bar: to which the commons put in a reply, questioning the validity of the pardon, on the grounds formerly mentioned. And they demanded a trial and judgment.

Upon this a famous debate arose concerning the bishops' right of voting in any part of a trial for treason. It was said, that, though the bishops did not vote in the final judgment, yet they had a right to vote in all preliminaries. Now the allowing, or not allowing the pardon to be good, was but a preliminary; and yet the whole matter was concluded by it. The lords Nottingham and Roberts argued for the bishops voting; but the lords Essex, Shaftesbury, and Hollis were against it. Many books were written on both sides, of which an account shall be given afterwards. But upon this debate it was carried by the majority, that the bishops had a right to vote. Upon which the commons said, they would not proceed, unless the bishops were obliged to withdraw during the whole trial. And upon that breach between the two houses the parliament was prorogued; and soon after it was dissolved. And the blame of this was cast chiefly on the bishops. The truth was, they desired to have withdrawn, but the king would not suffer it. He was so set on maintaining the pardon, that he would not venture such a point on the votes of the temporal lords. And he told the bishops they must stick to him, and to his prerogative, as they would expect that he should stick to them, if they came to be pushed at. By this means they were exposed to the popular fury.

Hot people began every where to censure them, as a set of men that for their own ends, and for every punctilio that they pretended to, would expose the nation and the protestant religion to ruin. And in revenge for this many began to declare openly in favour of the non-conformists: and upon this the non-conformists behaved themselves very indecently. For,

* The duke of York seriously apprehended the passing of this bill. Writing to the prince of Orange, he said, "the bill for depriving me of the succession has had one reading, and was to be read again on Monday last; so that except his majesty begins to behave himself as a king ought to do, not only I, but himself and our whole family, are gone."—(Clarendon Correspondence, i. 44.) The exclusion bill consisted only of five clauses, but they were very severe: the first rendered him incapable of inheriting the crown; the second gave the sovereignty to the next in succession, as if the duke was dead; the third made it high treason in him to attempt any acts of sovereignty; the fourth made it treason to endeavour to make him king; and the fifth made it a similar offence for him to return into Great Britain. Fortunate was it for England that the bill did not pass, for it was involved in almost insurmountable difficulties. Upon the death of Charles the Second, in 1685, the crown would have descended upon the duke's eldest daughter, the princess of Orange; but then, when the duke had a son, which he had three years subsequently, the crown must have reverted to this son. If the house of Orange gave up the throne without a civil struggle, yet the act did not provide that the son should not be a Roman Catholic. Happy then was it for this country, that neither the exclusion or limitation was enacted; for the apparent evil of James the Second becoming king, gave occasion to the real good of calling in and securing more effectually a protestant succession.

† Henry Pollexfen was descended from a good Devonshire family, settled at Kitley near Plympton; but of his early years we know nothing. In the reign of Charles the Second his practice was very great. He was employed in all the great causes of the period in which he lived, whilst a barrister. He was counsel for the corporation of London in defence of their charter; and for the seven bishops. In 1688, he was a representative of Exeter, in parliament. In 1689, after the revolution, he was promoted to be attorney-general, and afterwards was knighted, and made chief justice of the common pleas. He died in 1692.—Bridgman's Legal Bibliography; Noble's Contin. of Grainger. Roger North styles him "the veriest butcher of a judge." Judges in those days seemed to think it their duty to be harsh.

though many of the more moderate of the clergy were trying if an advantage might be taken from the ill state we were in to heal those breaches that were among us, they on their part fell very severely upon the body of the clergy. The act that restrained the press was to last only to the end of the first session of the next parliament that should meet after that was dissolved. So now, upon the end of the session, the act not being revived, the press was open; and it became very licentious, both against the court and the clergy. And in this the non-conformists had so great a hand, that the bishops and clergy, apprehending that a rebellion, and with it the pulling the church to pieces, was designed, set themselves on the other hand to write against the late times, and to draw a parallel between the present times and them; which was not decently enough managed by those who undertook the argument, and who were believed to be set on, and paid by the court for it. The chief manager of all those angry writings was one sir Roger L'Estrange, a man who had lived in all the late times, and was furnished with many passages, and an unexhausted copiousness in writing; so that for four years he published three or four sheets a week under the title of the Observator, all tending to defame the contrary party, and to make the clergy apprehend that their ruin was designed. This had all the success he could have wished, as it drew considerable sums that were raised to acknowledge the service he did *. Upon this the greater part of the clergy, who were already much prejudiced against that party, being now both sharpened and furnished by these papers, delivered themselves up to much heat and indiscretion, which was vented both in their pulpits and common conversation, and most particularly at the elections of parliament men: and this drew much hatred and censure upon them. They seemed now to lay down all fears and apprehensions of popery; and nothing was so common in their mouths as the year forty-one, in which the late wars began, and which seemed now to be near the being acted over again. Both city and country were full of many indecencies that broke out on this occasion. But, as there were too many of the clergy whom the heat of their tempers, and the hope of preferment drove to such extravagancies, so there were still many worthy and eminent men among them, whose lives and labours did in a great measure rescue the church from those reproaches that the follies of others drew upon it. Such were, besides those whom I have often named, Tennison, Sharp, Patrick, Sherlock, Fowler, Scot, Calamy, Claget, Cudworth, two Mores, Williams, and many others, whom though I knew not so particularly as to give all their characters, yet they deserved a high one; and were indeed an honour, both to the church, and to the age in which they lived.

I return from this digression to give an account of the arguments by which that debate concerning the bishops voting in preliminaries was maintained. It was said, the bishops were one of three estates of which the parliament was composed, and that therefore they ought to have a share in all parliamentary matters; that as the temporal lords transmitted their honours and fees to their heirs, so the bishops did transmit theirs to their successors: and they sat in parliament, both as they were the prelates of the church and barons of the realm: but in the time of popery, when they had a mind to withdraw themselves wholly from the king's courts, and resolved to form themselves into a state apart, upon this attempt of theirs, our kings would not dispense with their attendance: and then several regulations were made, chiefly the famed ones at Clarendon; not so much intended as restraints on them in the use of their rights as they were barons, as obligations on them to perform all but those that in compliance with their desires were then excepted: the clergy, who had a mind to be excused from all parliamentary attendance, obtained leave to withdraw in judgments of life and death, as unbecoming their profession and contrary to their canons. Princes were the more inclinable to this, because bishops might be more apt to lean to the merciful side:

* This chief of the hireling writers of the period was the son of sir Hamond L'Estrange, author of "A History of Charles the First," &c. He was born in 1616. Joining the royalists during the civil commotions, he narrowly escaped hanging as a spy by the parliament. At the restoration he was made licenser of the press, and retained his office until the revolution. In 1663 he established a newspaper, entitled "The Public Intelligencer," but this was given up when the "London Gazette" was published in 1665. His "Observator" was suppressed in the reign of James the Second, because it did not unreservedly support that king's measures. Besides political works he was the author of a great many translations. He died in 1704. He has been charged with corrupting our language, by excluding vowels and other letters, and introducing pert, affected phrases. The editor can hardly think this accusation valid, for he never could have been taken as a model by any one.—Biog. Brit.; Grainger's Biog. Hist.

and the judgments of parliament in that time were commonly in favour of the crown against the barons: so the bishops had leave given them to withdraw from these; but they had a right to name a proxy for the clergy, or to protest for saving their rights in all other points as peers: so that this was rather a concession in their favour than a restraint imposed on them; and they did it on design to get out of these courts as much as they could. At the Reformation all such practices as were contrary to the king's prerogative were condemned; so it was said, that the king having a right by his prerogative to demand justice in parliament against such as he should accuse there, none of the peers could be excused from that by any of the constitutions made in the time of popery, which were all condemned at the Reformation: the protestation they made in their asking leave to withdraw shewed it was a voluntary act of theirs, and not imposed on them by the law of parliament: the words of the article of Clarendon seemed to import, that they might sit during the trial, till it came to the final judgment and sentence of life or limb; and by consequence that they might vote in the preliminaries.

On the other hand it was argued, that bishops could not judge the temporal lords as their peers; for if they (the bishops) were to be tried for high treason, they were to be judged only by a jury of commoners; and since their honour was not hereditary, they could not be the peers of those whose blood was dignified: and therefore, though they were a part of that house with relation to the legislature and judicature, yet the difference between a personal and hereditary peerage made that they could not be the judges of the temporal lords, as not being to be tried by them: the custom of parliament was the law of parliament; and since they had never judged in these cases, they could not pretend to it: their protestation was only in bar to the lords doing any thing besides the trial during the time that they were withdrawn. The words of the article of Clarendon must relate to the whole trial as one complicated thing, though it might run out into many branches: and since the final sentence did often turn upon the preliminaries, the voting in these was upon the matter the voting in the final sentence: whatever might be the first inducements to frame those articles of the clergy, which at this distance must be dark and uncertain, yet the laws and practice pursuant to them were still in force: by the act of Henry the Eighth it was provided, that, till a new body of canon law should be formed, that which was then received should be still in force, unless it was contrary to the king's prerogative or the law of the land: and it was a remote and forced inference to pretend that the prerogative was concerned in this matter.

Thus the point was argued on both sides. Dr. Stillingfleet gave upon this occasion a great proof of his being able to make himself the master of any argument which he undertook; for after the lawyers and others conversant in parliament records, in particular the lord Hollis, who undertook the argument with great vehemence, had written many books about it, he published a treatise that discovered more skill and exactness in judging those matters than all that had gone before him. And indeed he put an end to the controversy in the opinion of all impartial men. He proved the right that the bishops had to vote in those preliminaries, beyond contradiction in my opinion, both from our records, and from our constitution; but now in the interval of parliament other matters come to be related *.

The king upon the prorogation of the parliament became sullen and thoughtful; he saw he had to do with a strange sort of people, that could neither be managed nor frightened: and from that time his temper was observed to change very visibly. He saw the necessity of calling another parliament, and of preparing matters in order to it: therefore the prosecution of the plot was still carried on. So five of the Jesuits that had been accused of it were brought to their trial: they were Whitebread, their provincial, Fenwick, Harcourt, Govan, and Turner. Oates repeated against them his former evidence; and they prepared a great

* It seems hardly credible that any one could misunderstand the words of the statute called "the Constitutions of Clarendon," 2 Henry II., c. 11. They are these, "Episcopi, sicut cæteri barones, debent interesse judiciis cum baronibus, quousque perveniatur ad diminutionem membrorum, vel ad mortem."—Bishops, like other barons, ought to be present at trials with the barons, until the loss of limbs, or death has to be determined. In the earl of Danby's case, the house of lords determined "that the lords spiritual have a right to stay and sit in court in capital cases, till the court proceeds to the vote of guilty, or not guilty." This determination applies only to trials *in full parliament;* for to the court of the lord high steward, bishops are never summoned. The above determination of the peers, Blackstone says, has ever since been adhered to.—Blackstone's Comment. iv. 264.

defence against it: for sixteen persons came over from their house at St. Omer's, who testified that Oates had staid among them all the while from December seventy-seven, till June seventy-eight; so that he could not possibly be at London, in the April between, at those consultations, as he had sworn. They remembered this the more particularly, because he sat at the table by himself in the refectory, which made his being there to be the more observed; for as he was not mixed with the scholars, so neither was he admitted to the Jesuits' table. They said, he was among them every day, except one or two, in which he was in the infirmary: they also testified, that some of those who he swore came over with him into England in April, had stayed all that summer in Flanders. In opposition to this, Oates had found out seven or eight persons who deposed that they saw him in England about the beginning of May; and that he being known formerly to them in a clergyman's habit, they had observed him so much the more by reason of that change of habit. With one of these he dined, and he had much discourse with him about his travels. An old Dominican friar, who was still of that church and order, swore also that he saw him, and spoke frequently with him at that time: by this the credit of the St. Omer's scholars was quite blasted. There was no reason to mistrust those who had no interest in the matter, and swore that they saw Oates about that time; whereas the evidence given by scholars bred in the Jesuits' college, when it was to save some of their order, was liable to a very just suspicion. Bedlow now swore against them all, not upon hearsay as before, but on his own knowledge; and no regard was had to his former oath mentioned in Ireland's trial. Dugdale did likewise swear against some of them: one part of his evidence seemed scarcely credible. He swore, that Whitebread did, in a letter that was directed to himself, though intended for F. Evers, and that came to him by the common post, and was signed by Whitebread, desire him to find out men proper to be made use of in killing the king, of what quality soever they might be. This did not look like the cunning of Jesuits in an age, in which all people made use either of cyphers, or of some disguised cant. But the overthrowing the St. Omer's evidence was now such an additional load on the Jesuits, that the jury came quickly to a verdict; and they were condemned. At their execution they did with the greatest solemnity, and the deepest imprecations possible, deny the whole evidence upon which they were condemned; and protested, that they held no opinions either of the lawfulness of assassinating princes, or of the pope's power of deposing them, and that they counted all equivocation odious and sinful. All their speeches were very full of these heads. Govan's was much laboured, and too rhetorical. A very zealous protestant, that went oft to see them in prison, told me, that they behaved themselves with great decency, and with all the appearances both of innocence and devotion.

Langhorn, the lawyer, was tried next: he made use of the St. Omer's scholars; but their evidence seemed to be so baffled, that it served him in no stead. He insisted next on some contradictions in the several depositions that Oates had given at several trials; but he had no other evidence of that besides the printed trials, which was no proof in law. The judges said upon this, (that which is perhaps good in law, but yet does not satisfy a man's mind,) that great difference was to be made between a narrative upon oath, and an evidence given in court. If a man was false in any one oath, there seemed to be just reason to set him aside, as no good witness. Langhorn likewise urged this, that it was six weeks after Oates's first discovery before he named him: whereas, if the commissions had been lodged with him, he ought to have been seized on and searched first of all. Bedlow swore, he saw him enter some of Coleman's treasonable letters in a register, in which express mention was made of killing the king. He shewed the improbability of this, that a man of his business could be set to register letters. Yet all was of no use to him, for he was cast. Great pains were taken to persuade him to discover all he knew; and his execution was delayed for some weeks, in hopes that somewhat might be drawn from him. He offered a discovery of the estates and stock that the Jesuits had in England, the secret of which was lodged with him; but he protested that he could make no other discovery, and persisted in this to his death. He spent the time, in which his execution was respited, in writing some very devout and well composed meditations. He was in all respects a very extraordinary man; he was learned, and

honest in his profession, but was out of measure bigoted in his religion. He died with great constancy *.

These executions, with the denials of all that suffered, made great impressions on many. Several books were written, to shew that lying for a good end was not only thought lawful among them, but had been often practised, particularly by some of those who died for the gunpowder treason, denying those very things which were afterwards not only fully proved, but confessed by the persons concerned in them; yet the behaviour, and last words, of those who suffered made impressions which no books could carry off.

Some months after this, one Serjeant, a secular priest, who had been always in ill terms with the Jesuits, and was a zealous papist in his own way, appeared before the council upon security given him; and he averred, that Govan, the Jesuit, who died protesting he had never thought it lawful to murder kings, but had always detested it, had at his last being in Flanders, said to a very devout person, from whom Serjeant had it, that he thought the queen might lawfully take away the king's life for the injuries he had done her, but much more because he was a heretic. Upon that Serjeant ran out into many particulars, to shew how little credit was due to the protestations made by Jesuits even at their death. This gave some credit to the tenderest part of Oates's evidence with relation to the queen. It shewed, that the trying to do it by her means had been thought of by them. All this was only evidence from second hand; so it signified little. Serjeant was much blamed for it by all his own side. He had the reputation of a sincere and good, but of an indiscreet, man. The executions were generally imputed to lord Shaftesbury, who drove them on in hopes that some one or other to have saved himself would have accused the duke: but by these the credit of the witnesses, and of the whole plot, was sinking apace. The building so much, and shedding so much blood, upon the weakest part of it, which was the credit of the witnesses, raised a general prejudice against it all; and took away the force of that, which was certainly true, that the whole party had been contriving a change of religion by a foreign assistance, so that it made not impression enough, but went off too fast. It was like the letting blood (as one observed), which abates a fever. Every execution, like a new bleeding, abated the heat that the nation was in; and threw us into a cold deadness, which was likely to prove fatal to us.

Wakeman's trial came on next. Oates swore he saw him write a bill to Ashby, the Jesuit, by which he knew his hand; and he saw another letter of his written in the same hand, in which he directed Ashby, who was then going to the Bath, to use a milk diet, and to be pumped at the Bath; and that in that letter he mentioned his zeal in the design of killing the king. He next repeated all the story he had sworn against the queen; which he brought only to make it probable that Wakeman, who was her physician, was in it. To all this Wakeman objected, that at first Oates accused him only upon hearsay, and did solemnly protest he knew nothing against him; which was fully made out. So he said, all that Oates now swore against him must be a forgery not thought of at that time. He also proved by his own servant, and by the apothecary at the Bath, that Ashby's paper was not written, but only dictated by him: for he happened to be very weary when he came for it, and his man wrote it out: and that of the milk diet was a plain indication of an ill laid forgery, since it was known that nothing was held more inconsistent with the Bath water than milk. Bedlow swore against him, that he saw him receive a bill of 2,000*l.* from Harcourt in part of a greater sum; and that Wakeman told him afterwards that he had received the money; and that Harcourt told him for what end it was given, for they intended the king should be killed, either by those they sent to Windsor, or by Wakeman's means: and, if all other ways failed, they would take him off at Newmarket. Bedlow in the first giving his evidence deposed, that this was said by Harcourt when Wakeman was gone out of the room. But observing by the questions that were put him, that this would not affect Wakeman, he swore afterwards, that he said it likewise in his hearing. Wakeman had nothing to set against all this, but that it seemed impossible that he could trust himself in such matters to such a

* The trials of these unfortunate men are given at great length in the State Trials.

person: and if Oates was set aside, he was but one witness. Three other Benedictine priests were tried with Wakeman. Oates swore, that they were in the plot of killing the king; that one of them, being their superior, had engaged to give 6,000*l.* towards the carrying it on. Bedlow swore somewhat circumstantial to the same purpose against two of them; but that did not rise up to be treason: and he had nothing to charge the third with. They proved, that another person had been their superior for several years; and that Oates was never once suffered to come within their house, which all their servants deposed. And they also proved, that when Oates came into their house the night after he made his discovery, and took Pickering out of his bed, and saw them, he said, he had nothing to lay to their charge. They urged many other things to destroy the credit of the witnesses: and one of them made a long declamation, in a high bombast strain, to shew what credit was due to the speeches of dying men. The eloquence was so forced and childish, that this did them more hurt than good. Scroggs summed up the evidence very favourably for the prisoners, far contrary to his former practice. The truth is, that this was looked on, as the queen's trial, as well as Wakeman's. The prisoners were acquitted: and now the witnesses saw they were blasted: and they were enraged upon it, which they vented with much spite upon Scroggs. And there was in him matter enough to work on for such foul-mouthed people as they were. The queen got a man of great quality to be sent over ambassador from Portugal, not knowing how much she might stand in need of such a protection. He went next day with great state to thank Scroggs for his behaviour in this trial. If he meant well in this compliment, it was very unadvisedly done: for the chief justice was exposed to much censure by it; and therefore some thought it was a shew of civility done on design to ruin him. For, how well pleased soever the papists were with the success of this trial, and with Scroggs's management, yet they could not be supposed to be so satisfied with him, as to forgive his behaviour in the former trials, which had been very indecently partial and violent.

It was now debated in council whether the parliament, now prorogued, should be dissolved, or not. The king prevailed on the lords of Essex and Halifax to be for a dissolution, promising to call another parliament next winter. Almost all the new councillors were against the dissolution. They said, the crown had never gained anything by dissolving a parliament in anger; the same men would probably be chosen again, while all that were thought favourable to the court would be blasted, and for the most part set aside. The new men thus chosen, being fretted by a dissolution, and put to the charge and trouble of a new election, they thought the next parliament would be more uneasy to the king than this if continued. Lord Essex and Halifax, on the other hand, argued, that since the king was fixed in his resolutions, both with relation to the exclusion and to the lord Danby's pardon, his parliament had engaged so far in both these, that they could not think that these would be let fall: whereas a new parliament, though composed of the same members, not being yet engaged, might be persuaded to take other methods. The king followed this advice, which he had directed himself: two or three days after, lord Halifax was made an earl, which was called the reward of his good counsel: and now the hatred between the earl of Shaftesbury and him broke out into many violent and indecent instances. On lord Shaftesbury's side more anger appeared, and more contempt on lord Halifax's. Lord Essex was a softer man, and bore the censure of the party more mildly: he saw how he was cried out on for his last advice; but as he was not apt to be much heated, so all he said to me upon it was, that he knew he was on a good bottom, and that good intentions would discover themselves, and be justified by all in conclusion *.

* Sir W. Temple in his "Memoirs" gives a detail of the proceedings, in the change of the ministry at this time. Sir William was the chief adviser at this exigency, but he very passionately objected to the inclusion of the earl of Shaftesbury in the new council. He and the earl of Halifax both aiming at the chief influence, and differing as they did in political opinions, was an endless source of distraction. The details in the "Memoirs" are extremely interesting, but do not admit of compression. The chief ministers of state were now as follows: Heneage, lord Finch, lord chancellor; Shaftesbury, president of the council; Anglesea, privy seal; Monmouth, master of the horse; Lauderdale, secretary for Scotland; Ormond, steward of the household; Arlington, lord chamberlain; Sunderland, a secretary of state; Essex, first lord of the treasury; Bath, groom of the stole; Henry Coventry, a secretary of state; sir Henry Capel, first commissioner of the admiralty; sir John Ernly, chancellor of the exchequer; sir Thomas Chicheley, master of the ordnance; Halifax, Temple, Powle, &c. were privy councillors without holding any office.

I now put a stop in the further relation of affairs in England, to give an account of what passed in Scotland. The party against duke Lauderdale had lost all hopes, seeing how affairs were carried in the last convention of estates; but they began to take heart upon this great turn in England. The duke (of York) was sent away, and the lord Danby was in the Tower, who were that duke's (Lauderdale's) chief supports: and when the new council was settled, duke Hamilton and many others were encouraged to come up and accuse him. The truth was, the king found his memory was failing him; and so he resolved to let him fall gently, and bring all Scotch affairs into the duke of Monmouth's hands. The Scotch lords were desired, not only by the king, but by the new ministers, to put the heads of their charge against duke Lauderdale in writing; and the king promised to hear lawyers on both sides, and that the earls of Essex and Halifax should be present at the hearing. Mackenzie was sent for, being the king's advocate, to defend the administration; and Lockhart and Cunningham were to argue against it. The last of these had not indeed Lockhart's quickness, nor his talent in speaking; but he was a learned and judicious man, and had the most universal, and indeed the most deserved reputation for integrity and virtue of any man, not only of his own profession, but of the whole nation. The hearing came on as was promised; and it was made out beyond the possibility of an answer, that the giving commissions to an army to live on free quarters in a quiet time, was against the whole constitution, as well as the express laws of that kingdom; and that it was never done but in an enemy's country, or to suppress a rebellion: they shewed likewise, how unjust and illegal all the other parts of his administration were. The earls of Essex and Halifax told me every thing was made out fully; Mackenzie having nothing to shelter himself in, but that flourish in the act against field conventicles, in which they were called the rendezvous of rebellion; from which he inferred, that the country where these had been frequent was in a state of rebellion. Kings naturally love to hear prerogative magnified; yet on this occasion the king had nothing to say in defence of the administration. But when May, the master of the privy purse, asked him, in his familiar way, what he thought now of his Lauderdale, he answered, as May himself told me, that they had objected many damned things that he had done against them, but there was nothing objected that was against his service. Such are the notions that many kings drink in, by which they set up an interest for themselves in opposition to the interest of the people: and as soon as the people observe that, which they will do sooner or later, then they will naturally mind their own interest, and set it up as much in opposition to the prince: and in this contest the people will grow always too hard for the prince, unless he is able to subdue and govern them by an army. The duke of Monmouth was beginning to form a scheme of a ministry; but now the government in Scotland was so remiss, that the people apprehended they might run into all sorts of confusion. They heard that England was in such distractions that they needed fear no force from thence. Duke Lauderdale's party was losing heart, and were fearing such a new model there as was set up here in England. All this set those mad people that had run about with the field conventicles into a frenzy: they drew together in great bodies: some parties of the troops came to disperse them, but found them both so resolute and so strong, that they did not think fit to engage them: sometimes they fired on one another, and some were killed on both sides.

When a party of furious men were riding through a moor near St. Andrews, they saw the archbishop's coach appear; he was coming from a council-day, and was driving home: he had sent some of his servants home before him, to let them know he was coming, and others he had sent off on compliments; so that there were no horsemen about the coach. They, seeing this, concluded, according to their frantic enthusiastic notions, that God had now delivered up their greatest enemy into their hands; seven of them made up to the coach, while the rest were as scouts riding all about the moor. One of them fired a pistol at him, which burnt his coat and gown, but did not go into his body: upon this they fancied he had a magical secret to secure him against a shot; and they drew him out of his coach, and murdered him barbarously, repeating their strokes till they were sure he was quite dead: and so they got clear off, nobody happening to go cross the moor all the while. This was the dismal end of that unhappy man: it struck all people with horror, and softened his

enemies into some tenderness: so that his memory was treated with decency by those who had very little respect for him during his life *.

A week after that, there was a great field conventicle held within ten miles of Glasgow: a body of the guards engaged with them, and they made such vigorous resistance, that the guards having lost thirty of their number were forced to run for it: so the conventicle formed itself into a body and marched to Glasgow: the person that led them had been bred by me, while I lived at Glasgow, being the younger son of sir Thomas Hamilton that had married my sister, but by a former wife: he was then a lively, hopeful young man; but getting into that company, and into their notions, he became a crack-brained enthusiast. Duke Lauderdale and his party published everywhere that this rebellion was headed by a nephew of mine, whom I had prepared for such a work while he was in my hands: their numbers were so magnified, that a company, or two, which lay at Glasgow, retired in all haste, and left the town to them, though they were then not above four or five hundred; and these were so ill armed, and so ill commanded, that a troop of horse could have easily dispersed them. The council at Edinburgh sent the earl of Linlithgow against them with a thousand foot, two hundred horse, and two hundred dragoons: a force much greater than was necessary for making head against such a rabble. He marched till he came within ten miles of them, and then he pretended he had intelligence that they were above eight thousand strong; so he marched back; for he said, it was the venturing the whole force the king had upon too great an inequality: he could never prove that he had any such intelligence: some imputed this to his fear; others thought, that being much engaged with duke Lauderdale, he did this on purpose to give them time to increase their numbers; and thought their madness would be the best justification of all the violences that had been committed in duke Lauderdale's administration. Thus the country was left in their hands; and if there had been any designs or preparations made formerly for a rebellion, now they had time enough to run together and to form themselves: but it appeared that there had been no such designs, by this, that none came into it but those desperate intercommoned men, who were as it were hunted from their houses into all those extravagances that men may fall in, who wander about inflaming one another, and are heated in it with false notions of religion. The rebels having the country left to their discretion fancied that their numbers would quickly increase: and they set out a sort of manifesto, complaining of the oppressions they lay under, asserting the obligation of the covenant: and they concluded it with the demand of a free parliament. When the news of this came to court, duke Lauderdale said, it was the effect of the encouragement that they had from the king's hearkening to their complaints: whereas all indifferent men thought it was rather to be imputed to his insolence and tyranny.

The king resolved to lose no time; so he sent the duke of Monmouth down post, with full powers to command in chief: and directions were sent to some troops that lay in the north of England to be ready to march upon his orders. Duke Lauderdale apprehended that those in arms would presently submit to the duke of Monmouth, if there was but time given for proper instruments to go among them, and that then they would pretend they had been forced into that rising by the violence of the government: so he got the king to send positive orders after him, that he should not treat with them, but fall on them immediately: yet he marched so slowly that they had time enough given them to dispose them to a submis-

* Dr. James Sharp was a native of Banffshire, and born in 1618. He left the Aberdeen university and his country on account of his objection to the covenant, but returned to Scotland upon the occurrence of the civil war, and obtained a professorship at St. Andrew's. He was deputed to plead to Cromwell the cause of the moderate presbyterians in opposition to the rigid covenanters, and succeeded in obtaining his favour. His betrayal of the presbyterian resolutioners, and his subsequent public life, have been noticed in the course of these pages. That he was an intemperate, arbitrary, unprincipled man, admits of no doubt; and he would have deserved of posterity no mitigated feeling, if his enemies had not enlisted our sympathies in his favour by inflicting upon him a violent death. Our horror at this murder is augmented by a knowledge that it was perpetrated in the presence of the sufferer's daughter. He was dragged from his coach as he was crossing Magus moor, near St. Andrew's, and murdered in the manner described in the text. This was in 1679.—Encyclop. Britannica.

An apologetical account of one of his assassins is given in a work entitled "The Memoirs of the Church of Scotland," published in 1717. See also Coger's Collection of Tracts, and Algernon Sydney's Letters to H. Savile. The first states, and Burnet intimates the same, that the archbishop was not way-laid premeditatedly; and the two last state that he was killed in revenge for private injuries. Both statements appear to be false.

sion. They fixed at Hamilton, near which there is a bridge over the Clyde, which it was believed they intended to defend; but they took no care of it. They sent some to treat with the duke of Monmouth; he answered, that if they would submit to the king's mercy, and lay down their arms, he would interpose for their pardon, but that he would not treat with them as long as they were in arms: and some were beginning to press their rendering themselves at discretion. They had neither the grace to submit, nor the sense to march away, nor the courage to fight it out; but suffered the duke of Monmouth to make himself master of the bridge. They were then four thousand men; but few of them were well armed; if they had charged those that came first over the bridge, they might have had some advantage; but they looked on like men that had lost both sense and courage: and upon the first charge they threw down their arms and ran away: there were between two or three hundred killed, and twelve hundred taken prisoners; the duke of Monmouth stopped the execution that his men were making as soon as he could, and saved the prisoners; for some moved, that they should be all killed upon the spot. Yet this was afterwards objected to him as a neglect of the king's service, and as a courting the people. The duke of York talked of it in that strain; and the king himself said to him, that if he had been there they should not have had the trouble of prisoners. He answered, he could not kill men in cold blood; that was work only for butchers. Duke Lauderdale's creatures pressed the keeping the army some time in that country, on design to have eaten it up; but the duke of Monmouth sent home the militia, and put the troops under discipline; so that all that country was sensible that he had preserved them from ruin: the very fanatical party confessed that he treated them as gently as possible, considering their madness: he came back to court as soon as he had settled matters, and moved the king to grant an indemnity for what was passed, and a liberty to hold meetings under the king's license, or connivance: he shewed the king that all this madness of field conventicles flowed only from the severity against those that were held within doors. Duke Lauderdale drew the indemnity in such a manner that it carried in some clauses of it a full pardon to himself and all his party; but he clogged it much with relation to those for whom it was granted. All gentlemen, preachers and officers were excepted out of it; so that the favour of it was much limited. Two of their preachers were hanged, but the other prisoners were let go upon their signing a bond for keeping the peace: two hundred of them were sent to Virginia, but they were all cast away at sea. Thus ended this tumultuary rebellion, which went by the name of Bothwell-bridge, where the action was. The king soon after sent down orders for allowing meeting-houses; but the duke of Monmouth's interest sunk so soon after this, that these were scarcely opened when they were shut up again. Their enemies said, this looked like a rewarding them for their rebellion.

An accident happened soon after this that put the whole nation in a fright, and produced very great effects. The king was taken ill, at Windsor, of an intermitting fever: the fits were so long and so severe, that the physicians apprehended he was in danger. Upon which he ordered the duke to be sent for, but very secretly: for it was communicated to none but to the earls of Sunderland, Essex, and Halifax. The duke made all possible haste, and came in disguise through Calais, as the quicker passage; but the danger was over before he came. The fits did not return after the king took quinquina, called in England the Jesuit's powder. As he recovered it was moved, that the duke should be again sent beyond sea; he had no mind to it, but when the king was positive in it, he moved that the duke of Monmouth should be put out of all command, and likewise sent beyond sea. The duke of Monmouth's friends advised him to agree to this; for he might depend on it that, as soon as the parliament met, an address would be made to the king for bringing him back, since his being thus divested of his commissions, and sent away at the duke's desire, would raise his interest in the nation *.

* Sir John Reresby intimates that the king's illness was feigned, was suggested by lord Faversham as an excuse for sending for the duke of York, whom the king was very unwilling to retain in exile, and that during this visit the plan was determined for his permanent return.—(Reresby's Memoirs, 98.) Sir William Temple evidently thought the king was in no danger, and confirms the statement of the general ignorance there was of the duke's return. There were evidently intrigues of which sir William could only observe the effects, and which he heartily disapproved. He, upon this occasion, withdrew from the privy council.—Memoirs, i. 342, &c. fol.

At this time the party that began to be made for the duke of York were endeavouring to blow matters up into a flame every where, of which the earl of Essex gave me the following instance, by which it was easy to judge what sort of intelligence they were apt to give, and how they were possessing the king and his ministers with ill-grounded fears: he came once to London on some treasury business, the day before the common hall was to meet in the City; so the spies that were employed to bring news from all corners came to him, and assured him that it was resolved next day to make use of the noise of that meeting, and to seize on the Tower, and do all such things as could be managed by a popular fury. The advertisements came to him from so many hands, that he was inclined to believe there was somewhat in it. Some pressed him to send soldiers into the Tower and to the other parts of the City. He would not take the alarm so hot, but he sent to the lieutenant of the Tower to be on his guard; and he ordered some companies to be drawn up in Covent Garden and in Lincoln's-inn Fields: and he had two hundred men ready, and barges prepared to carry them to the Tower, if there should have been the least shadow of tumult. But he would not seem to fear a disorder too much, lest perhaps that might have produced one. Yet after all the affrightening stories that had been brought him, the next day passed over very calmly, it not appearing by the least circumstance that anything was designed besides the business for which the common hall was summoned. He often reflected on this matter: those mercenary spies are very officious, that they may deserve their pay, and they shape their story to the tempers of those whom they serve; and to such creatures, and to their false intelligence, I imputed a great deal of the jealousy that I found the king possessed with. Both the dukes went now beyond sea, and that enmity which was more secret before, and was covered with a court civility, did now break out open and barefaced. But it seemed that the duke of York had prevailed with the king not to call the parliament that winter, in hope that the heat the nation was in would with the help of some time grow cooler, and that the party that began now to declare more openly for the right of succession would gain ground. There was also a pretended discovery now ready to break out, which the duke might be made believe would carry off the plot from the papists, and cast it on the contrary party.

Dangerfield, a subtle and dexterous man, who had gone through all the shapes and practices of roguery, and in particular was a false coiner, undertook now to coin a plot for the ends of the papists. He was in jail for debt, and was in an ill intrigue with one Cellier a popish midwife, who had a great share of wit, and was abandoned to lewdness. She got him to be brought out of prison, and carried him to the countess of Powis, a zealous, managing papist. He, after he had laid matters with her, as will afterwards appear, got into all companies, and mixed with the hottest men of the town, and studied to engage others with himself to swear, that they had been invited to accept of commissions, and that a new form of government was to be set up, and that the king and the royal family were to be sent away. He was carried with this story first to the duke and then to the king, and had a weekly allowance of money, and was very kindly used by many of that side; so that a whisper ran about town, that some extraordinary thing would quickly break out; and he, having some correspondence with one colonel Mansel, made up a bundle of seditious, but ill-contrived letters, and laid them in a dark corner of his room; and then some searchers were sent from the Custom House to look for some forbidden goods, which they heard were in Mansel's chamber. There were no goods found, but as it was laid they found that bundle of letters; and upon that a great noise was made of a discovery. But, upon enquiry, it appeared the letters were counterfeited, and the forger of them was suspected; so they searched into all Dangerfield's haunts, and in one of them they found a paper that contained the scheme of this whole fiction, which because it was found in a meal-tub, came to be called the *Meal-tub Plot*. Dangerfield was upon that clapped up, and he soon after confessed how the whole matter was laid and managed: in which it is very probable he mixed much of his own invention with truth, for he was a profligate liar. This was a great disgrace to the popish party, and the king suffered much by the countenance he had given him. The earls of Essex and Halifax were set down in the scheme to be sworn against with the rest.

Upon this they pressed the king vehemently to call a parliament immediately. But the

king thought that if a parliament should meet while all men's spirits were sharpened by this new discovery, he would find them in worse temper than ever. When the king could not be prevailed on to do that, lord Essex left the treasury. The king was very uneasy at this. But lord Essex was firm in his resolution not to meddle in that post more, since a parliament was not called; yet, at the king's earnest desire, he continued for some time to go to council. Lord Halifax fell ill, much from a vexation of mind: his spirits were oppressed, a deep melancholy seizing him; for a fortnight together I was once a day with him, and found then that he had deep impressions of religion on him. Some foolish people gave it out that he was mad; but I never knew him so near a state of true wisdom as he was at that time. He was much troubled at the king's forgetting his promise to hold a parliament that winter, and expostulated severely upon it with some that were sent to him from the king. He was offered to be made secretary of state, but he refused it. Some gave it out that he pretended to be lord lieutenant of Ireland, and was uneasy when that was denied him; but he said to me that it was offered to him, and he had refused it. He did not love, he said, a new scene, nor to dine with sound of trumpet and thirty-six dishes of meat on his table. He likewise saw that lord Essex had a mind to be again there, and he was confident he was better fitted for it than he himself was. My being much with him at that time was reflected on: it was said I had heightened his disaffection to the court. I was with him only as a divine.

The court went on in their own pace. Lord Tweedale being then at London moved the earl of Peterborough, that it would be more honourable, and more for the duke's (of York's) interest, instead of living beyond sea, to go and live in Scotland. Lord Peterborough went immediately with it to the king, who approved of it. So notice was given the duke, and he was appointed to meet the king at Newmarket in October. Lord Tweedale saw that, since the duke of Monmouth had lost his credit with the king, duke Lauderdale would again be continued in his posts, and that he would act over his former extravagances; whereas he reckoned that this would be checked by the duke's going to Scotland, and that he would study to make himself acceptable to that nation, and bring things among them into order and temper. The duke met the king at Newmarket as it was ordered; but upon that the earl of Shaftesbury, who was yet president of the council, though he had quite lost all his interest in the king, called a council at Whitehall, and represented to them the danger the king was in by the duke's being so near him, and pressed the council to represent this to the king. But they did not agree to it. And upon the king's coming to London he was turned out, and lord Roberts, made then earl of Radnor, was made lord president.

The duke went to Scotland soon after: and upon that the duke of Monmouth grew impatient, when he found he was still to be kept beyond sea. He begged the king's leave to return; but when he saw no hope of obtaining it, he came over without leave. The king upon that would not see him, and required him to go back; on which his friends were divided. Some advised him to comply with the king's pleasure; but he gave himself fatally up to the lord Shaftesbury's conduct, who put him on all the methods imaginable to make himself popular. He went round many parts of England, pretending it was for hunting and horse matches, many thousands coming together in most places to see him; so that this looked like the mustering up the force of the party, but it really weakened it. Many grew jealous of the design, and fancied here was a new civil war to be raised. Upon this they joined in with the duke's party. Lord Shaftesbury set also on foot petitions for a parliament, in order to the securing the king's person and the protestant religion. These were carried about and signed in many places, notwithstanding the king set out a proclamation against them. Upon that a set of counter petitions was promoted by the court, expressing an abhorrence of all seditious practices, and referring the time of calling a parliament wholly to the king. There were not such numbers that joined in the petitions for the parliament as had been expected, so this showed rather the weakness than the strength of the party; and many well meaning men began to dislike those practices, and to apprehend that a change of government was designed.

Some made a reflection on that whole method of proceeding, which may deserve well to be remembered. In the intervals of parliament, men that complain of the government by keeping themselves in a sullen and quiet state, and avoiding cabals and public assemblies,

grow thereby the stronger and more capable to make a stand when a parliament comes; whereas by their forming of parties out of parliament, unless in order to the managing of elections, they do both expose themselves to much danger, and bring an ill character on their designs over the nation, which naturally loves parliamentary cures, but is jealous of all other methods.

The king was now wholly in the duke's interest, and resolved to pass that winter without a parliament. Upon which the lords Russel and Cavendish, sir Henry Capel, and Mr. Powel, four of the new councillors, desired to be excused from their attendance in council. Several of those who were put in the Admiralty and in other commissions desired likewise to be dismissed. With this the king was so highly offended, that he became more sullen and intractable than he had ever been before.

The men that governed now were the earl of Sunderland, lord Hyde, and Godolphin. The last of these was a younger brother of an ancient family in Cornwall, that had been bred about the king from a page, and was now considered as one of the ablest men that belonged to the court. He was the most silent and modest man that was perhaps ever bred in a court. He had a clear apprehension, and dispatched business with great method, and with so much temper that he had no personal enemies; but his silence begot a jealousy, which has hung long upon him. His notions were for the court; but his incorrupt and sincere way of managing the concerns of the treasury created in all people a very high esteem for him. He loved gaming the most of any man of business I ever knew, and gave one reason for it: because it delivered him from the obligation to talk much. He had true principles of religion and virtue, and was free from all vanity, and never heaped up wealth; so that all things being laid together, he was one of the worthiest and wisest men that has been employed in our time. And he has had much of the confidence of four of our succeeding princes*.

In the spring of the year eighty the duke had leave to come to England; and continued about the king till the next winter that the parliament was to sit. Foreign affairs seemed to be forgotten by our court. The prince of Orange had projected an alliance against France, and most of the German princes were much disposed to come into it; for the French had set up a new court at Metz, in which many princes were, under the pretence of dependencies and some old forgotten or forged titles, judged to belong to the new French conquests. This was a mean as well as a perfidious practice, in which the court of France raised much more jealousy and hatred against themselves than could ever be balanced by such small accessions as were adjudged by that mock court. The earl of Sunderland entered into a particular confidence with the prince of Orange, which he managed by his uncle, Mr. Sidney, who was sent envoy to Holland. The prince seemed confident that if England would come heartily

* Sidney Godolphin was a native of Cornwall, and he had his education concluded at Oxford. In 1661 he was a representative of Helston; and the loyalty of his family probably obtained him the offices of a page and afterwards groom of the royal bedchamber. The earl of Dartmouth says, that when Godolphin was Charles's page, the latter sketched his character very pithily; a character he maintained through life. "He is," said the king, "never *in* the way, nor *out* of the way." He very perspicaciously anticipated the king's wishes, with which he readily complied; but most other persons thought he was morose—an opinion which they probably formed from his remarkable taciturnity. Although he voted for the exclusion of the duke of York, yet, upon the latter's accession to the throne, he was made lord chamberlain to the queen; and the earl of Dartmouth says, she esteemed and trusted this nobleman more than any of her court, and that he continued to correspond with her after the Revolution by the agency of the countess of Lichfield, although Mr. Cæsar, of Hertfordshire, was imprisoned for saying so in the house of commons.—(Oxford ed. of this work.) It is true that James had desired Godolphin's removal from the councils of his brother, (Clarendon Correspondence, i. 48); yet he admired his integrity, and earnestly desired his support, which he thought would be acquired if he could be converted to the Roman Catholic faith. This conversion was even at one time hoped; for the earl of Dartmouth relates, that Ellis, one of the four popish bishops in James the Second's reign, told sir Thomas Dyke there was some doubt of Godolphin's being a protestant, and that masses were said daily in the king's chapel for his conversion. To which sir Thomas replied, "If he is in doubt with you, he is out of doubt with me." His continuing to be in favour with the exiled queen arose probably from his voting for a regency, in opposition to those who voted for William the Third assuming the crown, in 1689. Yet William employed him, as did his successor Anne. The latter, it is well known, had loved him during their youthful years, but the policy of our government would not permit their marriage. His integrity is proved by the fact, that though connected with the treasury for thirty years, nine of which he was its premier, he died comparatively poor. The evidence of his unambitious nature is, that it required much persuasion to obtain his consent to be raised to the peerage, and to the order of the garter. He died in 1712, and was interred in Westminster Abbey.—Wood's Fasti Oxon.; Noble's Cont. of Grainger.

into it, a strong confederacy might then have been formed against France. Van Beuning was then in England, and he wrote to the town of Amsterdam, that they could not depend on the faith or assistance of England. He assured them the court was still in the French interest. He also looked on the jealousy between the court and the country party as then so high, that he did not believe it possible to heal matters so as to encourage the king to enter into any alliance that might draw on a war: for the king seemed to set that up for a maxim, that his going into a war was the putting himself into the hands of his parliament, and was firmly resolved against it. Yet the project of a league was formed: and the king seemed inclined to go into it as soon as matters could be well adjusted at home.

There was this year at midsummer a new practice begun in the city of London that produced very ill consequences. The city of London has by charter the shrivalty of Middlesex, as well as of the city; and the two sheriffs were to be chosen on midsummer day. But the common method had been for the lord mayor to name one of the sheriffs by drinking to him on a public occasion; and that nomination was commonly confirmed by the Common Hall, and then they named the other sheriff. The truth was, the way in which the sheriffs lived made it a charge of about 5000*l.* a-year; so they took little care about it, but only to find men that would bear the charge: which recommended them to be chosen aldermen upon the next vacancy, and to rise up according to their standing to the mayoralty, which generally went in course to the senior alderman. When a person was set up to be sheriff that would not serve, he compounded the matter for 400*l.* fine. All juries were returned by the sheriffs; but they commonly left that wholly in the hands of their under-sheriffs: so it was now pretended that it was necessary to look a little more carefully after this matter. The under-sheriffs were generally attorneys, and might be easily brought under the management of the court; so it was proposed that the sheriffs should be chosen with more care, not so much that they might keep good tables, as that they should return good juries. The person to whom the present mayor had drunk was set aside, and Bethel and Cornish were chosen sheriffs for the ensuing year. Bethel was a man of knowledge, and had written a very judicious book of the interests of princes; but as he was a known republican in principle, so he was a sullen and wilful man, and turned from the ordinary way of a sheriff's living into the extreme of sordidness, which was very unacceptable to the body of the citizens, and proved a great prejudice to the party. Cornish, the other sheriff, was a plain, warm, honest man, and lived very nobly all his year. The court was very jealous of this, and understood it to be done on design to pack juries; so that the party should be always safe, whatever they might engage in. It was said that the king would not have common justice done him hereafter against any of them, how guilty soever. The setting up Bethel gave a great colour to this jealousy; for it was said he had expressed his approving the late king's death in very indecent terms. These two persons had never before received the sacrament in the church, being independents; but they did it now to qualify themselves for this office, which gave great advantages against the whole party. It was said that the serving an end was a good resolver of all cases of conscience, and purged all scruples*.

Thus matters went on till the winter of eighty, in which the king resolved to hold a session of parliament. He sent the duke to Scotland a few days before their meeting; and upon that the duchess of Portsmouth declared openly for the exclusion, and so did lord Sunderland and Godolphin. Lord Sunderland assured all people that the king was resolved to settle matters with his parliament on any terms, since the interest of England and the affairs

* The charter of the city of London gives the right of electing the sheriffs to the citizens at large. It was their courtesy permitted the lord mayor to elect one by pledging his health; but such courtesy would not render his choice legal. A sheriff so elected would be puzzled to justify his title in answer to a *quo warranto*.

The meanness of Slingsby Bethel, one of the sheriffs mentioned in the text, is thus satirized by Dryden, in his "Absalom and Architophel;"—

"Chaste were his cellars, and his shrieval board
The grossness of a city feast abhorr'd;
His cooks, with long disuse, their trade forgot:
Cool was his kitchen, though his brains were hot."

He wrote the following works:—1. "The Interest of the Princes and States of Europe." At the end is a narrative of the chief occurrences in the parliament which sat during the protectorate of Richard Cromwell. 2. "Observations on a Letter written by the D. of B." And 3 "The World's Mistake in Oliver Cromwell."

Henry Cornish, the co-sheriff with Bethel, was murdered under a legal form in the reign of James the Second, for his activity in unravelling the popish plot.—State Trials; Biographia Britannica.

of Europe made a league against France indispensably necessary at that time, which could not be done without a good understanding at home. Lord Sunderland sent lord Arran for me. I declined this new acquaintance as much as I could, but it could not be avoided. He seemed then very zealous for a happy settlement. And this I owe him in justice, that though he went off from the measures he was in at that time, yet he still continued personally kind to myself. Now the great point was, whether the limitations should be accepted and treated about, or the exclusion be pursued. Lord Halifax assured me, that any limitations whatsoever that should leave the title of king to the duke, though it should be little more than a mere title, might be obtained of the king; but that he was positive and fixed against the exclusion. It is true, this was in a great measure imputed to his management, and that he had wrought the king up to it*.

The most specious handle for recommending the limitations was this: the duke declared openly against them; so if the king should have agreed to them, it must have occasioned a breach between him and the duke. And it seemed to be very desirable to have them once fall out; since, as soon as that was brought about, the king of his own accord and for his own security might be moved to promote the exclusion. The truth is, lord Halifax's hatred of the earl of Shaftesbury, and his vanity in desiring to have his own notion preferred, sharpened him at that time to much indecency in his whole deportment. But the party depended on the hopes that lady Portsmouth and lord Sunderland gave them. Many meetings were appointed between lord Halifax and some leading men: in which as he tried to divert them from the exclusion, so they studied to persuade him to it, both without effect. The majority had engaged themselves to promote the exclusion; lord Russel moved it first in the house of commons, and was seconded by Capel, Montague, and Winnington. Jones came into the house a few days after this, and went with great zeal into it†. Jenkins, now made secretary of state in Coventry's place, was the chief manager for the court. He was a man of an exemplary life, and considerably learned; but he was dull and slow. He was suspected of leaning to popery, though very unjustly; but he was set on every punctilio of the church of England to superstition, and was a great assertor of the divine right of monarchy, and was for carrying the prerogative high. He neither spoke nor wrote well; but being so eminent for the most courtly qualifications, other matters were the more easily dispensed with. All his speeches and arguments against the exclusion were heard with indignation, so the bill was brought into the house. It was moved by those who opposed it, that the duke's daughters might be named in it, as the next in the succession; but it was said that was not necessary, for since the duke was only personally disabled, as if he had been actually dead, that carried the succession over to his daughters. Yet this gave a jealousy, as if it was intended to keep that matter still undetermined; and that upon another occasion it might be pretended, that the disabling the duke to succeed did likewise disable him to derive that right to others which was thus cut off in himself. But though they would not name the duke's daughters, yet they sent such assurances to the prince of Orange, that nothing thus proposed could be to his prejudice, that he believed them, and declared his desire that the king would fully satisfy his parliament. The States sent over memorials to the king, pressing him to consent to the exclusion. The prince did not openly appear in this; but, it being managed by Fagel, it was understood that he approved of it; and this

* Sir J. Reresby and other authorities fully support the narrative in the text, as to the promoters and opponents of the bill of exclusion. It will ever remain a redeeming feature in the character of Charles, that no influence of interest or love could shake him from supporting his brother. The commons offered to pay his debts and promote his favourite politics, the duchess of Portsmouth tried all her seductive arts; but in vain. "There were many who believed the king would be tempted to comply;" but the earl of Halifax assured sir John Reresby, there was not the least probability that he would, for that it was like offering a man money to cut off his nose.—(Memoirs, 109.) It is to be observed that, coupled with the duke's exclusion were an act for the more frequent meetings of parliament, and a desire that the king would change such counsellors as the house of commons should request.

† This strenuous advocate of the exclusion did not long survive this period. He died at Hampden, in Buckinghamshire, owing to sleeping in damp sheets. A near relative of sir William, lord Trevor, told Mr. speaker Onslow that it was considered fortunate he died at this period, for he was privy to the designs of lord William Russel and his partisans; and being dangerous to the court on account of his superior abilities, would probably have been treated with particular severity, and being of a timid nature he might have made confessions injurious to his friends and his own character.—Onslow's Note in Oxford ed. of this work.

created a hatred in the duke to him, which was never to be removed. Lord Sunderland by Sidney's means engaged the States into it, and he fancied it might have some effect.

The bill of exclusion was quickly brought up to the lords. The earls of Essex and Shaftesbury argued most for it; and the earl of Halifax was the champion on the other side. He gained great honour in the debate, and had a visible superiority to lord Shaftesbury in the opinion of the whole house: and that was to him triumph enough. In conclusion, the bill was thrown out upon the first reading. The country party brought it nearer an equality than was imagined they could do, considering the king's earnestness in it, and that the whole bench of the bishops was against it. The commons were inflamed when they saw the fate of their bill. They voted an address to the king to remove lord Halifax from his counsels and presence for ever; which was an unparliamentary thing, since it was visible that it was for his arguing as he did in the house of lords, though they pretended it was for his advising the dissolution of the last parliament. But that was a thin disguise of their anger. Yet without destroying the freedom of debate they could not found their address on that which was the true cause of it. Russel and Jones, though formerly lord Halifax's friends, thought it was enough not to speak against him in the house of commons, but they sat silent. Some called him a papist, others said he was an atheist. Chichely, that had married his mother, moved that I might be sent for to satisfy the house as to the truth of his religion. I wish I could have said as much to have persuaded them that he was a good Christian as that he was no papist. I was at that time in a very good character in that house. The first volume of the History of the Reformation was then out, and was so well received, that I had the thanks of both houses for it, and was desired by both to prosecute that work. The parliament had made an address to the king for a fast day. Dr. Sprat and I were ordered to preach before the house of commons. My turn was in the morning. I mentioned nothing relating to the plot but what appeared in Coleman's letters; yet I laid open the cruelties of the church of Rome in many instances that happened in queen Mary's reign, which were not then known; and I aggravated, though very truly, the danger of falling under the power of that religion. I pressed also a mutual forbearance among ourselves in lesser matters. But I insisted most on the impiety and vices that had worn out all sense of religion, and all regard to it among us. Sprat in the afternoon went further into the belief of the plot than I had done. But he insinuated his fears of their undutifulness to the king in such a manner, that they were highly offended at him. So the commons did not send him thanks, as they did to me; which raised his merit at court as it increased the displeasure against me. Sprat had studied a polite style much, but there was little strength in it. He had the beginnings of learning laid well in him; but he has allowed himself in a course of some years in much sloth and too many liberties.

The king sent many messages to the house of commons, pressing for a supply: first for preserving Tangier, he being then in a war with the king of Fez, which by reason of the distance put him to much charge; but chiefly, for enabling him to go into alliances necessary for the common preservation.

The house upon that made a long representation to the king of the dangers that both he and they were in, and assured him they would do everything that he could expect of them, as soon as they were well secured: by which they meant, as soon as the exclusion should pass, and that bad ministers and ill judges should be removed. They renewed their address against lord Halifax, and made addresses both against the marquis of Worcester, soon after made duke of Beaufort, and against lord Clarendon and Hyde, as men inclined to popery. Hyde spoke so vehemently to vindicate himself from the suspicions of popery, that he cried in his speech; and Jones, upon the score of old friendship, got the words relating to popery to be struck out of the address against him. The commons also impeached several of the judges, and Mr. Seymour. The judges were accused for some illegal charges and judgments; and Seymour, for corruption and mal-administration in the office of treasurer of the navy. They impeached Scroggs for high treason; but it was visible that the matters objected to him were only misdemeanors. So the lords rejected the impeachment, which was carried chiefly by the earl of Danby's party, and in favour to him. The commons did also assert the right of the people to petition for a parliament; and because some in their counter-

petitions had expressed their abhorrence of this practice, they voted these abhorrers to be betrayers of the liberties of the nation. They expelled one Withins out of their house for signing one of these, though he with great humility confessed his fault, and begged pardon for it. The merit of this raised him soon to be a judge, for indeed he had no other merit*. They fell also on sir George Jeffreys, a furious declaimer at the bar; but he was raised by that, as well as by this prosecution. The house did likewise send their serjeant to many parts of England to bring up abhorrers as delinquents; upon which the right that they had to imprison any besides their own members came to be much questioned, since they could not receive an information upon oath, nor proceed against such as refused to appear before them. In many places those for whom they sent their serjeant refused to come up. It was found that such practices were grounded on no law, and were no older than queen Elizabeth's time. While the house of commons used that power gently, it was submitted to in respect to it; but now it grew to be so much extended, that many resolved not to submit to it. The former parliament had passed a very strict act for the due execution of the Habeas Corpus, which was indeed all they did. It was carried by an odd artifice in the house of lords. Lord Grey and lord Norris were named to be the tellers. Lord Norris, being a man subject to vapours, was not at all times attentive to what he was doing; so a very fat lord coming in, lord Grey counted him for ten, as a jest at first; but, seeing lord Norris had not observed it, he went on with his misreckoning of ten. So it was reported to the house, and declared that they who were for the bill were the majority, though it indeed went on the other side. And by this means the bill passed. There was a bold, forward man, Sheridan, a native of Ireland, whom the commons committed, and he moved for his habeas corpus. Some of the judges were afraid of the house, and kept out of the way; but baron Weston had the courage to grant it. The session went yet into a higher strain, for they voted that all anticipations on any branches of the revenue were against law, and that whosoever lent any money upon the credit of those anticipations were public enemies to the kingdom. Upon this it was said that the parliament would neither supply the king themselves, nor suffer him to make use of his credit, which every private man might do. They said, on the other hand, that they looked on the revenue as a public treasure, that was to be kept clear of all anticipations, and not as a private estate that might be mortgaged. And they thought, when all other means of supply except by parliament were stopped, that must certainly bring the king to their terms. Yet the clamour raised on this, as if they had intended to starve the king and blast his credit, was a great load on them; and their vote had no effect, for the king continued to have the same credit that he had before. Another vote went much higher: it was for an association, copied from that in queen Elizabeth's time, for the revenging the king's death upon all papists, if he should happen to be killed. The precedent of that time was a specious colour. But this difference was assigned between the two cases: queen Elizabeth was in no danger but from papists; so that association struck a terror into that whole party, which did prove a real security to her, and therefore her ministers set it on. But now it was said there were many republicans still in the nation, and many of Cromwell's officers were yet alive, who seemed not to repent of what they had done; so some of these might by this means be encouraged to attempt on the king's life, presuming that both the suspicions and revenges of it would be cast upon the duke and the papists. Great use was made of this to possess all people, that this association was intended to destroy the king instead of preserving him.

There was not much done in the house of lords after they threw out the bill of exclusion. Lord Halifax indeed pressed them to go on to limitations; and he began with one, that the duke should be obliged to live five hundred miles out of England during the king's life. But the house was cold and backward in all that matter. Those that were really the duke's friends abhorred all those motions, and lord Shaftesbury and his party laughed at them:

* Sir Francis Withins was a contemptible wretch. When called upon by the house of commons to explain why he had sided with the court party in reprobating petitioning, he showed himself such a sneaking poltroon, that, as North says, even his own friends voted against him, and he was unanimously expelled the house. When on the bench, his treatment of the prisoners tried before him are ample illustrations that cruelty is the associate of cowardice.—State Trials; Woolrych's Memoirs of Judge Jeffreys, &c.

they were resolved to let all lie in confusion, rather than hearken to anything besides the exclusion. The house of commons seemed also to be so set against that project that very little progress was made in it. Lord Essex made a motion, which was agreed to in a thin house; but it put an end to all discourses of that nature. He moved, that an association should be entered into to maintain those expedients, and that some cautionary towns should be put into the hands of the associators during the king's life to make them good after his death. The king looked on this as a deposing of himself. He had read more in Davila than in any other book of history; and he had a clear view into the consequences of such things, and looked on this as worse than the exclusion. So that, as lord Halifax often observed to me, this whole management looked like a design to unite the king more entirely to the duke, instead of separating him from him. The king came to think that he himself was levelled at chiefly, though for decency's sake his brother only was named. The truth was, the leading men thought they were sure of the nation, and of all future elections, as long as popery was in view. They fancied the king must have a parliament, and money from it very soon, and that in conclusion he would come in to them. He was much beset by all the hungry courtiers, who longed for a bill of money. They studied to persuade him, from his father's misfortunes, that the longer he was in yielding, the terms would grow the higher.

They relied much on the lady Portsmouth's interest, who did openly declare herself for the house of commons; and they were so careful of her, that when one moved that an address should be made to the king for sending her away, he could not be heard, though at another time such a motion would have been better entertained. Her behaviour in this matter was unaccountable. And the duke's behaviour to her afterwards looked more like an acknowledgment than a resentment. Many refined upon it, and thought she was set on as a decoy to keep the party up to the exclusion, that they might not hearken to the limitations. The duke was assured that the king would not grant the one, and so she was artificially managed to keep them from the other, to which the king would have consented, and of which the duke was most afraid. But this was too fine: she was hearty for the exclusion; of which I had this particular account from Montague, who I believe might be the person that laid the bait before her. It was proposed to her, that if she could bring the king to the exclusion, and to some other popular things, the parliament would go next to prepare a bill for securing the king's person: in which a clause might be carried, that the king might declare the successor to the crown, as had been done in Henry the Eighth's time. This would very much raise the king's authority, and would be no breach with the prince of Orange, but would rather oblige him to a greater dependence on the king. The duke of Monmouth and his party would certainly be for this clause, since he could have no prospect any other way; and he would please himself with the hopes of being preferred by the king to any other person. But since the lady Portsmouth found she was so absolutely the mistress of the king's spirit, she might reckon that, if such an act could be carried, the king would be prevailed on to declare her son his successor. And it was suggested to her, that in order to the strengthening her son's interest she ought to treat for a match with the king of France's natural daughter, now the duchess of Bourbon. And thus the duke of Monmouth and she were brought to an agreement to carry on the exclusion, and that other act pursuant to it; and they thought they were making tools of one another to carry on their own ends. The nation was possessed with such a distrust of the king, that there was no reason to think they could ever be brought to so entire a confidence in him, as to deliver up themselves and their posterity so blindfold into his hands. Montague assured me that she not only acted heartily in this matter, but she once drew the king to consent to it, if she might have had 800,000*l.* for it; and that was afterwards brought down to 600,000*l.* But the jealousies upon the king himself were such, that the managers in the house of commons durst not move for giving money till the bill of exclusion should pass, lest they should have lost their credit by such a motion. And the king would not trust them. So near was this point brought to an agreement, if Montague told me true.

That which reconciled the duke to the duchess of Portsmouth was, that the king assured him she did all by his order, that so she might have credit with the party and see into their

designs. Upon which the duke saw it was necessary to believe this, or at least to seem to believe it.

The other great business of this parliament was the trial of the viscount of Stafford, who was the younger son of the old earl of Arundel, and so was uncle to the duke of Norfolk. He was a weak, but a fair conditioned man. He was on ill terms with his nephew's family: and had been guilty of great vices in his youth, which had almost proved fatal to him. He married the heiress of the great family of the Staffords. He thought the king had not rewarded him for his former services as he had deserved; so he often voted against the court, and made great applications always to the earl of Shaftesbury. He was on no good terms with the duke; for the great consideration the court had of his nephew's family made him to be the most neglected. When Oates deposed first against him, he happened to be out of the way; and he kept out a day longer. But the day after he came in, and delivered himself; which, considering the feebleness of his temper, and the heat of that time, was thought a sign of innocence. Oates and Bedlow swore he had a patent to be paymaster-general to the army. Dugdale swore that he offered him 500*l.* to kill the king. Bedlow had died the summer before at Bristol. It was in the time of the assizes. North, lord chief justice of the common pleas, being there, he sent for him, and by oath confirmed all that he had sworn formerly, except that which related to the queen and to the duke. He also denied upon oath that any person had ever practised upon him, or corrupted him. His disowning some of the particulars which he had sworn, had an appearance of sincerity, and gave much credit to his former depositions. I could never hear what sense he expressed of the other ill parts of his life, for he vanished soon out of all men's thoughts.

Another witness appeared against lord Stafford, one Turbervill: who swore, that in the year seventy-five the lord Stafford had taken much pains to persuade him to kill the king. He began the proposition to him at Paris, and sent him by the way of Dieppe over to England, telling him that he intended to follow by the same road; but he wrote afterwards to him that he was to go by Calais. But he said he never went to see him upon his coming to England. Turbervill swore the year wrong at first, but upon recollection he went and corrected that error. This at such a distance of time seemed to be no great matter. It seemed much stranger, that after such discourses once begun he should never go near the lord Stafford, and that lord Stafford should never enquire after him. But there was a much more material objection to him. Turbervill, upon discourse with some in St. Martin's parish, seemed inclined to change his religion. They brought him to Dr. Lloyd, then their minister, and he convinced him so fully that he changed upon it. And after that he came often to him, and was chiefly supported by him. For some months he was constantly at his table. Lloyd had pressed him to recollect all that he had heard among the papists, relating to plots and designs against the king or the nation. He said that which all the converts at that time said often, that they had it among them that within a very little while their religion would be set up in England; and that some of them said a great deal of blood would be shed before it could be brought about; but he protested that he knew no particulars. After some months' dependence on Lloyd he withdrew entirely from him, and he saw him no more till he appeared now an evidence against lord Stafford. Lloyd was in great difficulties upon that occasion. It had been often declared that the most solemn denials of witnesses before they make discoveries did not at all invalidate their evidence; and that it imported no more, but that they had been so long firm to their promise of revealing nothing: so that this negative evidence against Turbervill could have done lord Stafford no service. On the other hand, considering the load that already lay on Lloyd on the account of Berry's business, and that his being a little before this time promoted to be bishop of St. Asaph was imputed to that, it was visible that his discovering this against Turbervill would have aggravated those censures and very much blasted him. In opposition to all this, here was a justice to be done, and a service to truth, towards the saving a man's life. And the question was very hard to be determined*. He advised with all his friends, and with myself in particular. The much greater number were of opinion that he ought to be silent. I said my own behaviour in

* Where was the difficulty? None but a heartless man and a poltroon would hesitate to strive to save the life of a fellow-creature, though it might injure their own advancement.

Staley's affair showed what I would do if I was in that case; but his circumstances were very different; so I concurred with the rest as to him. He had another load on him: he had written a book with very sincere intentions, but upon a very tender point; he proposed, that a discrimination should be made between the regular priests that were in a dependence and under directions from Rome, and the secular priests that would renounce the pope's deposing power and his infallibility. He thought this would raise heats among themselves, and draw censures from Rome on the seculars, which in conclusion might have very good effects. This was very plausibly written, and designed with great sincerity; but angry men said, all this was intended only to take off so much from the apprehensions that the nation had of popery, and to give a milder idea of a great body among them; and as soon as it had that effect, it was probable that all the missionaries would have leave given them to put on that disguise, and to take those discriminating tests till they had once prevailed, and then they would throw them off. Thus the most zealous man against popery that I ever yet knew, and the man of the most entire sincerity, was so heavily censured at this time, that it was not thought fit, nor indeed safe, for him to declare what he knew concerning Turbervill.

The trial was very august: the earl of Nottingham was the lord high steward; it continued five days. On the first day the commons brought only general evidence to prove the plot. Smith swore some things that had been said to him at Rome of killing the king; an Irish priest that had been long in Spain confirmed many particulars in Oates's narrative; then the witnesses deposed all that related to the plot in general. To all this lord Stafford said little, as not being much concerned in it; only he declared that he was always against the pope's power of deposing princes. He also observed a great difference between the Gunpowder Plot and that which was now on foot: that in the former all the chief conspirators died confessing the fact, but that now all died with the most solemn protestations of their innocence. On the second day the evidence against himself was brought: he urged against Oates that he swore he had gone in among them on design to betray them; so that he had been for some years taking oaths and receiving sacraments in so treacherous a manner, that no credit could be given to a man that was so black by his own confession. On the third day he brought his evidence to discredit the witnesses: his servant swore that while he was at the lord Aston's, Dugdale never was in his chamber but once, and that was on the account of a foot race. Some deposed against Dugdale's reputation; and one said that he had been practising on himself to swear as he should direct him. The minister of the parish and another gentleman deposed, that they heard nothing from Dugdale concerning the killing a justice of peace in Westminster, which, as he had sworn, he had said to them. As to Turbervill, who had said that the lord Stafford was at that time in a fit of the gout, his servants said they never knew him in a fit of the gout; and he himself affirmed, he never had one in his whole life. He also proved that he did not intend to come to England by Dieppe, for he had written for a yacht, which met him at Calais. He also proved by several witnesses that both Dugdale and Turbervill had often said that they knew nothing of any plot; and that Turbervill had lately said he would set up for a witness, for none lived so well as witnesses did. He insisted likewise on the mistake of the year, and on Turbervill's never coming near him after he came over to England. The strongest part of his defence was, that he made it out unanswerably, that he was not at the lord Aston's on one of the times that Dugdale had fixed on; for at that time he was either at Bath, or at Badminton. For Dugdale had once fixed on a day, though afterwards he said it was about that time. Now that day happened to be the marquis of Worcester's wedding-day; and on that day it was fully proved that he was at Badminton, that lord's house, not far from Bath. On the fourth day proofs were brought to support the credit of the witnesses. It was made out, that Dugdale had served the lord Aston long and with great reputation. It was now two full years since he began to make discoveries; and in all that time they had not found any one particular to blemish him with, though no doubt they had taken pains to examine into his life. His publishing the news of Godfrey's death was well made out, though two persons in the company had not minded it. Many proofs were brought that he was often in lord Stafford's company, of which many more affidavits were made after that lord's death. Two women that were still papists swore, that upon the breaking out of the plot he searched into many papers, and

burnt them. He gave many of these to one of the women to fling into the fire; but finding a book of accounts he laid that aside, saying, there is no treason here, which imported that he thought the others were treasonable. He proved that one of the witnesses brought against him was so infamous in all respects, that lord Stafford himself was convinced of it. He said he had only pressed a man, who now appeared against him, to discover all he knew. He said at such a distance of time he might mistake as to time, or a day, but could not be mistaken as to the things themselves. Turbervill described both the street and the room in Paris in which he saw lord Stafford. He found a witness that saw him at Dieppe, to whom he complained that a lord for whom he looked had failed him; and upon that he said he was no good staff to lean on: by which, though he did not name the lord, he believed he meant lord Stafford. Dugdale and he both confessed they had denied long that they knew anything of the plot, which was the effect of the resolution they had taken, to which they adhered long, of discovering nothing. It was also proved that lord Stafford was often lame, which Turbervill took for the gout. On the fifth day lord Stafford resumed all his evidence, and urged every particular very strongly. Jones, in the name of the commons, did on the other hand resume the evidence against him with great force; he said indeed nothing for supporting Oates, for the objection against him was not to be answered. He made it very clear that Dugdale and Turbervill were two good witnesses, and were not at all discredited by anything that was brought against them. When it came to the giving of judgment, above fifty of the peers gave it against lord Stafford, and above thirty acquitted him. Four of the Howards, his kinsmen, condemned him. Lord Arundel, afterwards duke of Norfolk, though in enmity with him, did acquit him. Duke Lauderdale condemned him; and so did both the earls of Nottingham and Anglesey. Lord Halifax acquitted him. Lord Nottingham, when he gave judgment, delivered it with one of the best speeches he had ever made. But he committed one great indecency in it; for he said, who can doubt any longer that London was burnt by papists; though there was not one word in the whole trial relating to that matter. Lord Stafford behaved himself during the whole time, and at the receiving his sentence, with much more constancy than was expected from him.

Within two days after, he sent a message to the lords, desiring that the bishop of London and I might be appointed to come to him. We waited on him. His design seemed to be only to possess us with an opinion of his innocence, of which he made very solemn protestations. He heard us speak of the points in difference between us and the church of Rome with great temper and attention. At parting, he desired me to come back to him next day, for he had a mind to be more particular with me. When I came to him he repeated the protestations of his innocence, and said he was confident the villany of the witnesses would soon appear; he did not doubt I should see it in less than a year. I pressed him in several points of religion, and urged several things, which he said he had never heard before. He said these things on another occasion would have made some impression upon him; but he had now little time, therefore he would lose none in controversy; so I let that discourse fall. I talked to him of those preparations for death in which all Christians agree. He entertained these very seriously. He had a mind to live, if it was possible. He said he could discover nothing with relation to the king's life, protesting that there was not so much as an intimation about it that had ever passed among them. But he added, that he could discover many other things that were more material than anything that was yet known, and for which the duke would never forgive him; and of these, if that might save his life, he would make a full discovery. I stopped him when he was going on to particulars; for I would not be a confidant in anything in which the public safety was concerned. He knew best the importance of those secrets, and so he only could judge whether it would be of that value as to prevail with the two houses to interpose with the king for his pardon. He seemed to think it would be of great use, chiefly to support what they were then driving on with relation to the duke. He desired me to speak to lord Essex, lord Russel, and sir William Jones. I brought him their answer the next day; which was, that if he did discover all he knew concerning the papists' designs, and more particularly concerning the duke, they would endeavour that it should not be insisted on, that he must confess those particulars for which he was judged. He asked me what if he should name some who had now great credit, but had

once engaged to serve their designs. I said nothing could be more acceptable than the discovering such disguised papists, or false protestants. Yet upon this I charged him solemnly not to think of redeeming his own life by accusing any other falsely, but to tell the truth, and all the truth, as far as the common safety was concerned in it. As we were discoursing of these matters the earl of Carlisle came in. In his hearing, by lord Stafford's leave, I went over all that had passed between us, and did again solemnly adjure him to say nothing but the truth. Upon this he desired the earl of Carlisle to carry a message from him to the house of lords, that whensoever they would send for him he would discover all that he knew. Upon that he was immediately sent for. And he began with a long relation of their first consultations after the Restoration, about the methods of bringing in their religion, which they all agreed could only be brought about by a toleration. He told them of the earl of Bristol's project; and went on to tell who had undertaken to procure the toleration for them; and then he named the earl of Shaftesbury. When he named him he was ordered to withdraw, and the lords would hear no more from him. It was also given out, that in this I was a tool of lord Halifax's to bring him thither to blast lord Shaftesbury. He was sent back to the Tower, and then he composed himself in the best way he could to suffer, which he did with a constant and undisturbed mind. He supped and slept well the night before his execution, and died without any show of fear or disorder. He denied all that the witnesses had sworn against him. And this was the end of the plot. I was very unjustly censured on both hands. The earl of Shaftesbury railed so at me that I went no more near him. And the duke was made believe that I had persuaded lord Stafford to charge him, and to discover all he knew against him; which was the beginning of the implacable hatred he showed on many occasions against me. Thus the most innocent and best meant parts of a man's life may be misunderstood and highly censured *.

The house of commons had another business before them in this session. There was a severe act passed in the end of queen Elizabeth's reign, when she was highly provoked with the seditious behaviour of the Puritans, by which those who did not conform to the church were required to abjure the kingdom under the pain of death. And for some degrees of nonconformity they were adjudged to die, without the favour of banishment. Both houses passed a bill for repealing this act. It went indeed heavily in the house of lords; for many of the bishops, though they were not for putting that law in execution, which had never been done but in one single instance, yet they thought the terror of it was of some use, and that the repealing it might make the party more insolent. On the day of the prorogation the bill ought to have been offered to the king; but the clerk of the crown, by the king's particular order, withdrew the bill. The king had no mind openly to deny it, but he had less mind to pass it. So this indiscreet method was taken, which was a high offence in the clerk of the crown. There was a bill of comprehension offered by the episcopal party in the house of commons, by which the presbyterians would have been taken into the church; but, to the amazement of all people, their party in the house did not seem concerned to promote it: on the contrary they neglected it. This increased the jealousy, as if they had hoped they were so near the carrying all before them, that they despised a comprehension. There was no great progress made in this bill. But in the morning before they were prorogued two votes were carried in the house of a very extraordinary nature. The one was, that the laws made against recusants ought not to be executed against any but those of the church of Rome. That was indeed the primary intention of the law; yet all persons who came not to church, and did not receive the sacrament once a year, were within the letter of the law. The other vote was, that it was the opinion of that house that the laws against dissenters ought not

* William Howard, viscount Stafford, was the victim selected by those who maintained the existence of the popish plot, upon whom to exhibit, that a majority of the house of lords supported that opinion. Reresby says that this nobleman was selected because he was esteemed of weak capacity, and therefore "less able to labour his defence; but he deceived them so far as to plead his cause to a miracle." Five years after his execution, namely, in 1685, a bill passed the house of peers, but was lost in the house of commons, entitled, "An Act for reversing the attainder of William, late viscount Stafford;" its preamble stating, "that it is now manifest that he died innocent; that the testimony on which he was convicted was false; and that it appears, by record of the king's bench, that one of the witnesses was convicted of perjury." The whole evidence and proceedings are given in the State Trials.

to be executed. This was thought a great invasion of the legislature, when one house pretended to suspend the execution of laws, which was to act like dictators in the state; for they meant that courts and juries should govern themselves by the opinion that they now gave; which, instead of being a kindness to the nonconformists, raised a new storm against them over all the nation. When the king saw no hope of prevailing with the commons on any other terms but his granting the exclusion, he resolved to prorogue the parliament. And it was dissolved in a few days after, in January, eighty-one.

The king resolved to try a parliament once more; but apprehending that they were encouraged, if not inflamed, by the city of London, he summoned the next parliament to meet at Oxford. It was said, men were now very bold about London by their confidence in the juries, that the sheriffs took care to return. Several printers were indicted for scandalous libels that they had printed; but the grand juries returned an ignoramus upon the bills against them, on this pretence, that the law only condemned the printing such libels maliciously and seditiously, and that it did not appear that the printers had any ill intentions in what they did; whereas, if it was found that they printed such libels, the construction of law made that to be malicious and seditious. The elections over England for the new parliament went generally for the same persons that had served in the former parliament. And in many places it was given as an instruction to the members to stick to the bill of exclusion.

The king was now very uneasy; he saw he was despised all Europe over, as a prince that had neither treasure nor power; so one attempt more was to be made, which was to be managed chiefly by Littleton, who was now brought into the commission of the admiralty. I had once, in a long discourse with him, argued against the expedients, because they did really reduce us to the state of a commonwealth. I thought a much better way was, that there should be a protector declared, with whom the regal power should be lodged, and that the prince of Orange should be the person. He approved the notion; but thought that the title protector was odious, since Cromwell had assumed it, and that, therefore, regent would be better. We dressed up a scheme of this for nearly two hours; and I dreamed no more of it. But some days after he told me the notion took with some, and that both lord Halifax and Seymour liked it; but he wondered to find lord Sunderland did not go into it. He told me after the parliament was dissolved, but in great secrecy, that the king himself liked it. Lord Nottingham talked in a general and odd strain about it. He gave it out, that the king was resolved to offer one expedient, which was beyond anything that the parliament could have the confidence to ask. Littleton pressed me to do what I could to promote it, and said that as I was the first that had suggested it, so I should have the honour of it, if it proved so successful as to procure the quieting of the nation. I argued upon it with Jones; but I found they had laid it down for a maxim, to hearken to nothing but the exclusion. All the duke of Monmouth's party looked on this as that which must put an end to all his hopes. Others thought, in point of honour they must go on as they had done hitherto. Jones stood upon a point of law, of the inseparableness of the prerogative from the person of the king. He said, an infant or a lunatic was in a real incapacity of struggling with his guardians; but that if it was not so, the law that constituted their guardians would be of no force. He said, if the duke came to be king, the prerogative would by that vest in him; and the prince regent and he must either strike up a bargain, or it must end in a civil war, in which he believed the force of law would give the king the better of it. It was not to be denied but that there was some danger in this; but in the ill circumstances in which we were, no remedies could be proposed that were without great inconveniences, and that were not liable to much danger. In the meanwhile, both sides were taking all the pains they could to fortify their party; and it was very visible, that the side which was for the exclusion was likely to be the strongest.

A few days before the king went to Oxford, Fitzharris, an Irish papist, was taken up for framing a malicious and treasonable libel against the king and his whole family. He had met with one Everard, who pretended to make discoveries, and as was thought, had mixed a great deal of falsehood with some truth; but he held himself in general terms, and did not descend to so many particulars as the witnesses had done. Fitzharris and he had been

acquainted in France, so on that confidence he showed him his libel; and he made an appointment to come to Everard's chamber, who thought he intended to trepan him, and so had placed witnesses to overhear all that passed. Fitzharris left the libel with him, all written in his own hand. Everard went with the paper, and with his witnesses, and informed against Fitzharris, who upon that was committed. But seeing the proof against him was likely to be full, he said the libel was drawn by Everard, and only copied by himself: but he had no sort of proof to support this. Cornish, the sheriff, going to see him, he desired he would bring him a justice of peace, for he could make a great discovery of the plot, far beyond all that was yet known. Cornish, in the simplicity of his heart, went and acquainted the king with this; for which he was much blamed, for it was said, by this means that discovery might have been stopped. But his going first with it to the court proved afterwards a great happiness both to himself and to many others. The secretaries, and some privy councillors, were upon that sent to examine Fitzharris; to whom he gave a long relation of a practice to kill the king, in which the duke was concerned, with many other particulars which need not be mentioned, for it was all a fiction. The secretaries came to him a second time to examine him farther. He boldly stood to all he had said, and he desired that some justices of the city might be brought to him. So Clayton and Treby went to him, and he made the same pretended discovery to them over again; and insinuated, that he was glad it was now in safe hands that would not stifle it. The king was highly offended with this, since it plainly showed a distrust of his ministers. And so Fitzharris was removed to the Tower, which the court resolved to make the prison for all offenders, till there should be sheriffs chosen more at the king's devotion. Yet the deposition made to Clayton and Treby was in all points the same that he had made to the secretaries; so that there was no colour for the pretence afterward put on this, as if they had practised on him.

The parliament met at Oxford in March; the king opened it with severe reflections on the proceedings of the former parliament. He said he was resolved to maintain the succession of the crown in the right line: but for quieting his people's fears he was willing to put the administration of the government into protestants' hands. This was explained by Ernley and Littleton to be meant of a prince regent, with whom the regal prerogative should be lodged during the duke's life. Jones and Littleton managed the debate on the grounds formerly mentioned; but in the end the proposition was rejected, and they resolved to go again to the bill of exclusion, to the great joy of the duke's party, who declared themselves more against this than against the exclusion itself. The commons resolved likewise to take the management of Fitzharris's affair out of the hands of the court: so they carried to the lords' bar an impeachment against him, which was rejected by the lords upon a pretence with which lord Nottingham furnished them. It was this: Edward the Third had got some commoners to be condemned by the lords, of which when the house of commons complained, an order was made, that no such thing should be done for the future. Now that related only to proceedings at the king's suit: but it could not be meant that an impeachment from the commons did not lie against a commoner. Judges, secretaries of state, and the lord keeper were often commoners: so if this was good law, here was a certain method offered to the court, to be troubled no more with impeachments, by employing only commoners. In short, the peers saw the design of this impeachment, and were resolved not to receive it; and so made use of this colour to reject it. Upon that the commons passed a vote, that justice was denied them by the lords; and they also voted, that all those who concurred in any sort, in trying Fitzharris in any other court, were betrayers of the liberties of their country. By these steps, which they had already made, the king saw what might be expected from them: so very suddenly, and not very decently, he came to the house of lords, the crown being carried between his feet in a sedan. And he put on his robes in haste, without any previous notice, and called up the commons, and dissolved the parliament; and went with such haste to Windsor, that it looked as if he was afraid of the crowds that this meeting had brought to Oxford *.

Immediately upon this the court took a new ply: and things went in another channel: of

* North in his "Examen," and Ralph in his "History," give still fuller details of this short, yet violent session, both agreeing closely with Burnet's statement.

which I go next to give as impartial an account, as I have hitherto given of the plot, and of all that related to it. At this time the distinguishing names of *Whig* and *Tory* came to be the denominations of the parties. I have given a full account of all errors during this time with the more exactness, to warn posterity from falling into the like excesses, and to make it appear how mad and fatal a thing it is to run violently into a torrent, and in a heat to do those things which may give a general disgust, and to set precedents to others, when times turn, to justify their excesses, by saying they do only follow the steps of those who went before them. The shedding so much blood upon such doubtful evidence was likely to have proved fatal to him who drove all these things on with the greatest fury: I mean the earl of Shaftesbury himself. And the strange change that appeared over the nation with relation to the duke, from such an eager prosecution of the exclusion, to an indecent courting and magnifying him, not without a visible coldness towards the king in comparison of him, shewed how little men could build on popular heats, which have their ebbings and flowings, and their hot and cold fits, almost as certain as seas, or fevers have. When such changes happen, those who have been as to the main with the side that is run down, will be charged with all the errors of their side, how much soever they may have opposed them. I, who had been always in distrust of the witnesses, and dissatisfied with the whole method of proceedings, yet came to be fallen on not only in pamphlets and poems, but even in sermons, as if I had been an incendiary, and a main stickler against the court, and in particular against the duke. So upon this I went into a closer retirement; and to keep my mind from running after news and affairs, I set myself to the study of philosophy and algebra. I diverted myself with many processes in chemistry; and I hope I went into the best exercises, from which I had been much diverted by the bustling of a great town in so hot a time. I had been much trusted by both sides; and that is a very dangerous state; for a man may come upon that to be hated and suspected by both. I withdrew much from all conversation; only I lived still in a particular confidence with the lords Essex and Russel.

The king set out a declaration for satisfying his people: he reckoned up in it all the hard things that had been done by the three last parliaments; and set out their undutiful behaviour to himself in many instances; yet in conclusion he assured his good subjects, that nothing should ever alter his affection to the protestant religion as established by law, nor his love to parliaments; for he would have still frequent parliaments. When this passed in council, the archbishop of Canterbury moved, that an order should be added to it, requiring the clergy to publish it in all the churches of England: this was looked on as a most pernicious precedent, by which the clergy were made the heralds to publish the king's declarations, which in some instances might come to be not only indecent but mischievous. An answer was written to the king's declaration with great spirit and true judgment. It was at first penned by Sidney; but a new draught was made by Somers, and corrected by Jones. The spirit of that side was now spent; so that this, though the best written paper in all that time, yet had no great effect. The declaration raised over England a humour of making addresses to the king, as it were in answer to it. The grand juries, and the bench of justices, in the counties, the cities and boroughs, the franchises and corporations, many manors, the companies in towns, and at last the very apprentices sent up addresses. Of these some were more modestly penned, and only expressed their joy at the assurances they saw in the king's declaration; and concluded, that they upon that dedicated their lives and fortunes to his service. But the greater number, and the most acceptable, were those who declared they would adhere to the unalterable succession of the crown in the lineal and legal descent, and condemned the bill of exclusion. Others went higher, and arraigned the late parliaments as guilty of sedition and treason. Some reflected severely on the non-conformists, and thanked the king for his not repealing that act of the thirty-sixth of queen Elizabeth, which they prayed might be put in execution. Some of the addresses were very high panegyrics, in which the king's person and government were much magnified. Many of those who brought these up were knighted upon it: and all were well treated at court. Many zealous healths were drank among them; and in their cups the old valour and the swaggerings of the cavaliers seemed to be revived. The ministers saw through this, and that it was an empty noise, and a false shew; but it was thought necessary then to encourage it. Though lord Halifax

could not restrain himself from shewing his contempt of it, in a saying that was much repeated; he said, the petitioners for a parliament spit in the king's face, but the addressers spit in his mouth. As the country sent up addresses, so the town sent down pamphlets of all sorts to possess the nation much against the late parliament; and the clergy struck up to a higher note, with such zeal for the duke's succession, as if a popish king had been a special blessing from heaven, to be much longed for by a protestant church. They likewise gave themselves such a loose against non-conformists, as if nothing were so formidable as that party; so that in all their sermons popery was quite forgotten, and the force of their zeal was turned almost wholly against the dissenters; who were now by order from the court to be proceeded against according to law. There was also a great change made in the commissions all England over: none were left either on the bench, or in the militia, that did not with zeal go into the humour of the court. And such of the clergy as would not engage in that fury, were cried out upon as the betrayers of the church, and as secret favourers of the dissenters. The truth is, the numbers of these were not great: one observed rightly, that, according to the proverb in the gospel, "where the carcase is, the eagles will be gathered together." The scent of preferment will draw aspiring men after it.

Fitzharris's trial came on in Easter term: Scroggs was turned out, and Pemberton was made chief justice. His rise was so particular, that it is worth the being remembered: in his youth he mixed with such lewd company, that he quickly spent all he had, and ran so deeply in debt that he was cast into a jail, where he lay many years: but he followed his studies so closely in the jail, that he became one of the ablest men of his profession. He was not wholly for the court: he had been a judge before, and was turned out by Scroggs's means; and now he was raised again, and was afterwards made chief justice of the other bench; but not being compliant enough, he was turned out a second time, when the court would be served by none but by men of a thorough-paced obsequiousness *. Fitzharris pleaded the impeachment in parliament; but since the lords had thrown that out it was overruled. He pretended he could discover the secret of Godfrey's murder; he said, he heard the earl of Danby say at Windsor, that it must be done: but when the judge told the grand jury, that what was said at Windsor did not lie before them, Fitzharris immediately said, he had heard him say the same thing at Whitehall. This was very gross: yet upon so slight an evidence they found the bill against the lord Danby. And when they were reproached with it, they said a dubious evidence was a sufficient ground for a grand jury: yet another doctrine was set up by the same sort of men within a few months.

Plunket, the popish primate of Armagh, was at this time brought to his trial. Some lewd Irish priests, and others of that nation, hearing that England was at that time disposed to hearken to good swearers, thought themselves well qualified for the employment: so they came over to swear, that there was a great plot in Ireland, to bring over a French army, and

* Sir Francis Pemberton was one of many examples that a superior advocate is not necessarily an able judge. His judicial deficiency was not perceived by himself; and when he boasted that he *made* rather than *declared* the laws, he unwittingly confessed that he outstepped the duties of his office. So notoriously did he follow the dictates of his own mind, rather than the clauses of the statute-book, that lord keeper Guildford remarked that "in making law, he had outdone king, lords, and commons."—(Life of L. K. Guildford, 222.) North, in the same work, observes, "this man's morals were very indifferent; for his beginnings were debauched, and his study and first practice in the gaol; for having been one of the fiercest town rakes, and spent more than he had of his own, his case forced him upon that expedient for a lodging; and there he made so good use of his leisure, and busied himself with the cases of his fellow-collegiates, informing and advising them so skilfully, that he was reputed the most notable fellow within those walls, and, at length, he came out a sharper at the law; after that he proceeded to study and practice, till he was eminent, and made a sergeant. He sat in the King's Bench till near the time that the great cause of the *quo warranto* against the city of London was to be brought to judgment in that court; and then he was removed. The truth is, it was not thought reasonable to trust that cause, on which the peace of the government so much depended, in a court where the chief never shewed so much regard to the law as to his own will; and notorious as he was for little honesty, boldness, cunning, and incontroulable opinion of himself. After this removal he returned to his practice, and by that (as it seems the rule is) he lost his style of 'lordship,' and became bare 'Mr. Sergeant' again. His business lay chiefly in the common pleas." This too severe character of Pemberton arose from the high prerogative prejudices of the writer; for Pemberton, as Burnet observes, "was not wholly for the court." It is perhaps certain that he was not a deep lawyer, but he was a conscientious man; and instead of his being removed because he was unlikely to do justice in the case of the *quo warranto*, or, as others hint, because he was guilty of taking bribes, it seems more than probable that the cause of his disgrace was his lenient treatment of the unfortunate lord William Russel.

to massacre all the English. The witnesses were brutal and profligate men: yet the earl of Shaftesbury cherished them much: they were examined by the parliament at Westminster; and what they said was believed. Upon that encouragement it was reckoned that we should have witnesses come over in whole companies. Lord Essex told me, that this Plunket was a wise and sober man, who was always in a different interest from the two Talbots; the one of these being the titular archbishop of Dublin, and the other afterwards came to be duke of Tirconnell. These were meddling and factious men; whereas Plunket was for their living quietly, and in due submission to the government, without engaging into intrigues of state. Some of these priests had been censured by him for their lewdness; and they drew others to swear as they directed them. They had appeared the winter before upon a bill offered to the grand jury; but as the foreman of the jury, who was a zealous protestant, told me, they contradicted one another so evidently, that they would not find the bill. But now they laid their story better together; and swore against Plunket, that he had got a great bank of money to be prepared, and that he had an army listed, and was in a correspondence with France to bring over a fleet from thence. He had nothing to say in his own defence, but to deny all: so he was condemned, and suffered very decently, expressing himself in many particulars as became a bishop. He died denying every thing that had been sworn against him *.

Fitzharris was tried next: and the proof was so full that he was cast. He moved in court that I might be ordered to come to him, upon what reason I could never imagine. A rule was made that I might speak to him in the presence of the lieutenant of the Tower. I went to him, and pressed him vehemently to tell the truth, and not to deceive himself with false hopes. I charged him with the improbabilities of his discovery; and laid home to him the sin of perjury, chiefly in matters of blood, so fully, that the lieutenant of the Tower made a very just report of it to the king, as the king himself told me afterwards. When he saw there was no hope, he said the lord Howard was the author of the libel. Howard was so ill thought of, that, it being known that there was a familiarity between Fiztharris and him, it was apprehended from the beginning that he was concerned in it. I had seen him in lord Howard's company, and had told him how indecent it was to have such a man about him: he said he was in want, and was as honest as his religion would suffer him to be. I found out afterwards, that he was a spy of the lady Portsmouth's; and that he had carried lord Howard to her: and, as lord Howard himself told me, she brought the king to talk with him twice or thrice. The king, as he said, entered into a particular scheme with him of the new frame of his ministry in case of an agreement, which seemed to him to be very near. As soon as I saw the libel, I was satisfied that lord Howard was not concerned in it: it was so ill drawn, and so little disguised in the treasonable part, that none but a man of the lowest form could be capable of making it. The report of lord Howard's being charged with this was over the whole town a day before any warrant was sent out against him; which made it appear, that the court had a mind to give him time to go out of the way. He came to me, and solemnly vowed he was not at all concerned in that matter: so I advised him not to stir from home. He was committed that night: I had no liking to the man's temper; yet he insinuated himself so into me, that without being rude to him it was not possible to avoid him. He was a man of a pleasant conversation; but he railed so indecently both at the king and the clergy, that I was very uneasy in his company: yet now, during his imprisonment, I did him all the service I could. But Algernon Sidney took his concerns and his family so to heart, and managed every thing relating to him with that zeal, and that care, that none but a monster of ingratitude could have made him the return that he did afterwards. When the bill against lord Howard was brought to the grand jury, Fitzharris's wife and maid were the two witnesses against him; but they did so evidently forswear themselves, that the attorney-general withdrew it. Lord Howard lay in the Tower till the Michaelmas term, and came out by the Habeas Corpus. I went no more to Fitzharris; but Hawkins, the minister of the Tower, took him into his management, and prevailed with him not only

* Dr. Oliver Plunket is styled even by Anthony Wood "a most venerable and religious" man. Whoever reads his trial will thence conclude that he was not guilty of the crimes with which the witnesses, his personal enemies, charged him. He was executed on the 1st of July, 1681.—State Trials, iii.; Wood's Athenæ, i. 220.

to deny all his former discovery, but to lay it on Clayton, Treby, and the sheriffs, as a subornation of theirs, though it was evident that was impossible to be true. Yet at the same time he wrote letters to his wife, who was not then admitted to him, which I saw and read, in which he told her, how he was practised upon with the hopes of life. He charged her to swear falsely against none: one of these was written that very morning in which he suffered *; and yet before he was led out he signed a new paper containing the former charge of subornation, and put it in Hawkins's hands. And at Tyburn he referred all he had to say to that paper, which was immediately published; but the falsehood of it was so very notorious, that it shewed what a sort of man Hawkins was: yet he was soon after rewarded for this with the deanery of Chichester. But when the court heard what letters Fitzharris had written to his wife they were confounded; and all further discourse about him was stifled. But the court practised on her by the promise of a pension so far, that she delivered up her husband's letters to them. But so many had seen them before that, that this base practice turned much to the reproach of all their proceedings.

Soon after this Dugdale, Turbervill, Smith, and the Irish witnesses came under another management; and they discovered a plot laid against the king to be executed at Oxford. The king was to be killed, and the government was to be changed. One Colledge, a joiner by trade, was an active and hot man, and came to be known by the name of *the Protestant Joiner*. He was first seized on; and the witnesses swore many treasonable speeches against him: he was believed to have spoken oft with great indecency of the king, and with a sort of threatening, that they would make him pass the bill of exclusion. But a design to seize on the king was so notorious a falsehood, that notwithstanding all that the witnesses swore, the grand jury returned *ignoramus* upon the bill. Upon this the court cried out against the juries now returned, that they would not do the king justice, though the matter of the bill was sworn by witnesses whose testimony was well believed a few months before: it was commonly said, these juries would believe every thing one way, and nothing the other. If they had found the bill, so that Colledge had been tried upon it, he would have been certainly saved; but since the witnesses swore that he went to Oxford on that design, he was triable there. North went to Oxford, Colledge being carried thither; and he tried him there. North's behaviour in that whole matter was such, that probably, if he had lived to see an impeaching parliament, he might have felt the ill effects of it. The witnesses swore several treasonable words against Colledge, and that his coming to Oxford was in order to the executing these: so here was an overt-act. Colledge was upon a negative: so he had nothing to say for himself, but to shew how little credit was due to the witnesses. He was condemned, and suffered with great constancy, and with appearances of devotion. He denied all the treasonable matter that had been sworn against him, or that he knew of any plot against the king. He confessed, that a great heat of temper had carried him to many undutiful expressions of the king, but he protested he was in no design against him †. And now the court intended to set the witnesses to swear against all the hot party; which was plainly murder in them, who believed them false witnesses, and yet made use of them to destroy others. One passage happened at Colledge's trial, which quite sunk Dugdale's credit: it was objected to him by Colledge, to take away his credit, that, when by his lewdness he had got the French pox, he to cover that gave it out that he was poisoned by papists: upon which he, being then in court, protested solemnly that he never had that disease; and said, that if it could be proved by any physician that he ever had it, he was content that all the evidence he had ever given should be discredited for ever. And he was taken at his word;

* All the proceedings against Fitzharris may be seen in the third volume of the State Trials.

† The firm, judicious, and able manner in which Stephen Colledge defended himself is sufficient proof, in the absence of any other, that he was a man of a very superior understanding. His superiority as a workman obtained him employment among the higher class of society, and his cultivated mind, united to becoming manners, obtained him even admission to their families as a friend. Dr. Swift speaks of him as "a noble person," to whom he was introduced by Lady Berkley.—(Swift's Letters, iv. 336.) His trial is well worthy of a perusal. It exhibits the degrading banter that was exchanged between witnesses and counsel, and the brutal conduct of the latter and of the judges towards the accused.—(State Trials, iii.) A daughter of Colledge was sempstress to king William, an office worth about 300*l.* a year. Her father was executed on the last day of August, 1681.—Grainger's Biog. Hist.

for Lower, who was then the most celebrated physician in London, proved at the council-board that he had been under cure in his hands for that disease; which was made out both by his bills, and by the apothecary that served them. So he was never more heard of.

The earl of Shaftesbury was committed next, and sent to the Tower upon the evidence of the Irish witnesses. His papers were at the same time seized on and searched: nothing material was found among them, but a draught of an association, by which the king, if it had taken place, would have reigned only at the discretion of the party. This was neither written, nor marked in any place with his hand: but, when there was a talk of an association, some had formed this paper, and brought it to him; of which he always professed, after the matter was over, that he remembered nothing at all. So, it is probable, that, as is ordinary when any great business is before the parliament, that zealous men are at the doors with their several draughts; this was one of these cast carelessly by, and not thought on by him when he had sent his more valuable papers out of the way. There was likewise but one witness that could swear to its being found there; and that was the clerk of the council, who had perused those papers without marking them in the presence of any witness, as taken among lord Shaftesbury's papers.

There was all this summer strange practising with witnesses to find more matter against him: Wilkinson, a prisoner for debt that had been often with him, was dealt with to accuse him. The court had found out two solicitors to manage such matters, Burton and Graham, who were indeed fitter men to have served in a court of inquisition than in a legal government. It was known, that lord Shaftesbury was apt to talk very freely, and without discretion: so the two solicitors sought out all that had frequented his company; and tried what they could draw from them, not by a barefaced subornation, but by telling them, they knew well that lord Shaftesbury had talked such and such things, which they named, that were plainly treasonable; and they required them to attest it if they did ever hear such things from him: and they made them great promises upon their telling the truth: so that they gave hints and made promises to such as by swearing boldly would deserve them, and yet kept themselves out of danger of subornation, having witnesses in some corner of their chambers that overheard all their discourse. This was their common practice, of which I had a particular account from some whom they examined with relation to myself. In all this foul dealing the king himself was believed to be the chief director: and lord Halifax was thought deep in it, though he always expressed an abhorrence of such practices to me *.

His resentments wrought so violently on him, that he seemed to be gone off from all his former notions. He pressed me vehemently to accept of preferment at court; and said, if I would give him leave to make promises in my name, he could obtain for me any preferment I pleased. But I would enter into no engagements. I was contented with the condition I was in, which was above necessity, though below envy: the mastership of the Temple was likely to fall, and I liked that better than any thing else. So both lord Halifax and lord Clarendon moved the king in it. He promised I should have it. Upon which lord Halifax carried me to the king. I had reason to believe, that he was highly displeased with me for what I had done a year before. Mrs. Roberts, whom he had kept for some time, sent for me when she was dying: I saw her often for some weeks, and among other things I desired her to write a letter to the king, expressing the sense she had of her past life: and at her desire I drew such a letter, as might be fit for her to write: but she never had strength enough to write it. So upon that I resolved to write a very plain letter to the king: I set before him his past life, and the effects it had on the nation, with the judgments of God that lay on him, which was but a small part of the punishment that he might look for; I pressed

* These attempts to suborn evidence against the earl of Shaftesbury were detestable and disgraceful; the cause of the hatred and indignation of the court party that gave birth to them, is easily traceable. So violent was he in opposing the succession of the duke of York to the throne, that with the lords Huntingdon Grey of Werk, Russel, Cavendish, and Brandon, sir Edward Hungerford, sir Henry Calverly, sir William Cowper, sir Gilbert Gerrard, sir Scroop Howe, Thomas Thynne, Thomas Forester, John Trenchard, and Thomas Wharton, esquires, he went into Westminster Hall, and to the Middlesex grand jury publicly presented the duke of York as worthy of indictment as a recusant. The immediate effect of this daring act was not so great as was anticipated; for while the jury were deliberating on the presentment, the court very judiciously summoned and dismissed them.—Ralph's History

him upon that earnestly to change the whole course of his life: I carried this letter to Chiffinch's on the twenty-ninth of January; and told the king in the letter, that I hoped the reflections on what had befallen his father on the thirtieth of January, might move him to consider these things more carefully. Lord Arran happened to be then in waiting: and he came to me next day, and told me, he was sure the king had a long letter from me; for he held the candle to him while he read it: he knew at all that distance that it was my hand. The king read it twice over, and then threw it into the fire: and not long after lord Arran took occasion to name me: and the king spoke of me with great sharpness: so he perceived that he was not pleased with my letter *: nor was the king pleased with my being sent for

* This letter was as follows:

"29th January, 1679-80.

"May it please your Majesty,

"I have not presumed to trouble your majesty for some months, not having any thing worthy your time to offer; and now I choose rather this way, since the infinite duty I owe you puts me under restraints in discourse, which I cannot so easily overcome. What I shall now suggest to your majesty, I do it as in the presence of Almighty God, to whom I know I must give an account of all my actions; I therefore beg you will be graciously pleased to accept this most faithful zeal of your poor subject, who has no other design in it, than your good, and the discharge of his own conscience.

"I must then first assure your majesty, I never discovered any thing like a design of raising rebellion, among all those with whom I converse: but I shall add, on the other hand, that most people grow sullen, and are highly dissatisfied with you, and distrustful of you. Formerly your ministers, or his royal highness, bore the blame of things that were ungrateful; but now it falls upon yourself; and time, which cures most other distempers, increases this. Your last speech makes many think, it will be easy to fetch up petitions from all parts of England: this is now under consultation, and is not yet determined; but I find so many inclined to promote them, that as far as I can judge, it will go that way. If your majesty calls a new parliament, it is believed, that those who have promoted the petitions will be generally elected; for the inferior sort of people are much set upon them, and make their judgment of men, from their behaviour in that matter. The soberer sort of those, who are ill pleased at your conduct, reckon that either the state of your affairs beyond sea, or of your exchequer at home, will ere long necessitate your meeting your parliament; and that then things must be rectified: and therefore they use their utmost endeavours to keep all quiet. If your majesty has a session in April, for supporting your allies, I find it is resolved by many, that the money necessary to maintain your alliances, shall be put into the hands of the commissioners, to issue it as they shall answer to the two houses: and these will be so chosen, that as it is likely that the persons will be very unacceptable to you, so they, being trusted with the money, will be as a council of state, to controul all your councils. And as to your exchequer, I do not find any inclination to consider your necessity, unless many things be done to put them into another disposition, than I can observe in them. The things that will be demanded, will not be of so easy a digestion, as that I can imagine you will ever be brought to them, or indeed that it will be reasonable or honourable for you to grant them. So that, in this disorder of affairs, it is easy to propose difficulties, but not so easy to find out that which may remove them.

"There is one thing, and indeed the only thing, in which all honest men agree, as that which can easily extricate you out of all your troubles; it is not the change of a minister, or of a council, a new alliance, or a session of parliament, but it is (and suffer me, Sir, to speak it with a more than ordinary earnestness) a change in your own heart, and in your course of life. And now, Sir, if you do not with indignation throw this paper from you, permit me (with all the humility of a subject prostrate at your feet) to tell you, that all the distrust your people have of you, all the necessities you now are under, all the indignation of Heaven, that is upon you, and appears in the defeating all your councils, flow from this, that you have not feared nor served God, but have given yourself up to so many sinful pleasures. Your majesty may perhaps justly think, that many of those that oppose you have no regard for religion, but the body of your people consider it more than you can imagine. I do not desire your majesty to put on a hypocritical shew of religion, as Henry the Third of France did, hoping thereby to have weathered the storms of those times. No! that would be soon seen through, and as it would provoke God more, so it would increase jealousies. No! Sir, it must be real, and the evidences of it signal: all those about you who are the occasions of sin, chiefly the women, must be removed, and your court be reformed. Sir, if you will turn you to religion sincerely and seriously, you shall quickly find a serene joy of another nature possess your mind, than what arises from gross pleasures; God would be at peace with you, and direct and bless all your counsels; all good men would presently turn to you, and ill men would be ashamed, and have a thin party. For I speak it knowingly, there is nothing has so alienated the body of your people from you, as what they have heard of your life, which disposes them to give an easy belief to all other scandalous reports.

"Sir, this counsel is now almost as necessary for your affairs as it is for your soul; and though you have highly offended that God, who has been infinitely merciful to you, in preserving you at Worcester fight, and during your long exile, and who brought you back so miraculously, yet he is still good and gracious; and will, upon your sincere repentance, and change of life, pardon all your sins and receive you into his favour: oh, Sir, what if you should die in the midst of all your sins? at the great tribunal, where you must appear, there will be no regard to the crown you now wear; but it will aggravate your punishment, that being in so eminent a station, you have so much dishonoured God. Sir, I hope you believe there is a God, and a life to come, and that sin shall not pass unpunished. If your majesty will reflect upon your having now been twenty years upon the throne, and in all that time how little you have glorified God, how much you have provoked him, and that your ill example has drawn so many after you to sin, that men are not now ashamed of their vices, you cannot but think, that God is offended with you: and if you consider how ill your councils at home, and your wars abroad have succeeded, and how much you have lost the hearts of your people, you may reasonably conclude, this is of God, who will not turn away his anger from you, till you turn to him with your whole heart.

"I am no enthusiast, either in opinion or temper; yet I acknowledge I have been so pressed in my mind to make this address to you, that I could have no ease till I did it:

by Wilmot, earl of Rochester, when he died. He fancied that he had told me many things, of which I might make an ill use: yet he had read the book that I wrote concerning him, and spoke well of it. In this state I was in the king's thoughts, when lord Halifax carried me to him, and introduced me with a very extraordinary compliment, that he did not bring me to the king to put me in his good opinion, so much as to put the king in my good opinion: and added, he hoped that the king would not only take me into his favour, but into his heart. The king had a peculiar faculty of saying obliging things with a very good grace: among other things he said, he knew that, if I pleased, I could serve him very considerably; and that he desired no service from me longer than he continued true to the church, and to the law. Lord Halifax upon that added, that the king knew he served him on the same terms, and was to make his stops. The king and he fell into some discourse about religion. Lord Halifax said to the king, that he was the head of the church: to which the king answered, that he did not desire to be the head of nothing; for indeed he was of no church. From that the king run out into much discourse about lord Shaftesbury, who was shortly to be tried: he complained with great scorn of the imputation of subornation that was cast on himself. He said, he did not wonder that the earl of Shaftesbury, who was so guilty of those practices, should fasten them on others. The discourse lasted half an hour very hearty and free: so I was in favour again; but I could not hold it. I was told I kept ill company: the persons lord Halifax named to me were the earl of Essex, lord Russel, and Jones. But I said, I would upon no consideration give over conversing with my friends: so I was where I was before.

A bill of indictment was presented to the grand jury against lord Shaftesbury. The jury was composed of many of the chief citizens of London. The witnesses were examined in open court, contrary to the usual custom: the witnesses swore many incredible things against him, mixed with other things that looked very like his extravagant way of talking. The draught of the association was also brought as a proof of his treason, though it was not laid in the indictment, and was proved only by one witness. The jury returned *ignoramus* upon the bill. Upon this the court did declaim with open mouth against these juries; in which they said the spirit of the party did appear, since men, even upon oath, shewed they were resolved to find bills true or *ignoramus*, as they pleased, without regarding the evidence And upon this a new set of addresses went round the kingdom, in which they expressed their abhorrence of that association found in lord Shaftesbury's cabinet; and complained, that justice was denied the king; which were set off with all the fulsome rhetoric that the penners could varnish them with. It was upon this occasion said, that the grand jury ought to find bills even upon dubious evidence, much more when plain treason was sworn, since all they did in finding a bill was only to bring the person to his trial, and then the falsehood of the witnesses was to be detected. But in defence of these ignoramus juries it was said, that by the express words of their oath they were bound to make true presentments of what should appear true to them: and therefore, if they did not believe the evidence, they could not find a bill, though sworn to. A book was written to support that, in which both law and reason were brought to confirm it: it passed as written by lord Essex, though I understood afterwards it was written by Somers, who was much esteemed and often visited by lord Essex, and who trusted himself to him, and wrote the best papers that came out in that

and since you were pleased to direct me to send you, through Mr. Chiffinch's hands, such informations as I thought fit to convey to you, I hope your majesty will not be offended, if I have made this use of that liberty. I am sure I can have no other design in it, but your good; for I know very well, this is not the method to serve any ends of my own. I therefore throw myself at your feet, and once more, in the name of God, whose servant I am, do most humbly beseech your majesty, to consider of what I have written, and not to despise it for the meanness of the person who has sent it, but to apply yourself to religion in earnest; and I dare assure you of many blessings both temporal and spiritual in this life, and of eternal glory in the life to come: but if you will go on in your sins, the judgments of God will probably pursue you in this life, so that you may be a proverb to after-ages; and after this life, you will be for ever miserable; and I, your poor subject that now am, shall be a witness against you in the great day, that I gave you this free and faithful warning.

"Sir, no person alive knows, that I have written to you to this purpose; and I chose this evening, hoping that your exercise to-morrow may put you into a disposition to weigh it more carefully. I hope your majesty will not be offended with this sincere expression of my duty to you; for I durst not have ventured on it, if I had not thought myself bound to it, both by the duty I owe to God, and that which will ever oblige me to be,

"May it please your majesty, &c."

time. It is true, by the practice that had generally prevailed, grand juries were easy in finding bills upon a slight and probable evidence. But it was made out, that the words of their oath, and the reason of the law seemed to oblige them to make no presentments but such as they believed to be true. On the other hand a private ill opinion of a witness, or the looking on a matter as incredible, did not seem to warrant the return of an ignoramus: that seemed to belong to the jury on life and death *. The chief complaint that was made in the addresses was grounded on their not finding the bill on the account of the draught of the association; and this was in many respects very unreasonable. For as that was not laid in the bill, so there was but one witness to prove it; nor did the matter of the paper rise up to the charge of high treason. And now Dugdale and Turbervill, who had been the witnesses upon whose evidence lord Stafford was condemned, being within a year detected, or at least suspected of this villany, I could not but reflect on what he said to me, that he was confident I should see within a year that the witnesses would be found to be rogues.

* Mr. Walpole says, that the work alluded to by Burnet, probably was a pamphlet attributed to Somers, entitled "The Security of Englishmen's Lives: or the trust, power, and duty of the grand juries of England, explained according to the fundamentals of the English government, &c."—(Walpole's Catalogue of Royal and Noble Authors.) This pamphlet was first printed in the year 1681; and a second edition, with Somers' name prefixed, was published in 1766. Its spirit will appear from a very few extracts.—

"Our ancestors have been famous in their generations for wisdom, piety, and courage, in forming and preserving a body of laws to secure themselves and their posterities from slavery and oppression, and to maintain their native freedoms: to be subject only to the laws made by their own consent in their general assemblies, and to be put in execution chiefly by themselves, their officers, and assistants; to be guarded and defended from all violence and force by their own arms, kept in their own hands, and used at their own charge under their prince's conduct; intrusting nevertheless an ample power to their kings and other magistrates, that they may do all the good, and enjoy all the happiness, that the largest soul of man can honestly wish; and carefully providing such means of correcting and punishing their ministers and counsellors, if they transgress the laws, that they might not dare to abuse or oppress the people, or design against their freedom or welfare."

Imitating the example set by their ancestors, the pamphlet warns its contemporaries that "it now falls to our lot to preserve their liberties against the dark contrivances of a popish faction, who would by frauds, shamplots, and infamous perjuries, deprive us of our birthrights, and turn the points of our swords (the laws) into our own bowels, with designs to overturn the monarchy, because they would have excluded a popish successor, and provided for the security of the religion and lives of all protestants."

"Our law-makers foresaw both their dangers from malice and passion, that might cause some of private condition to accuse others falsely in the courts of justice, and the great hazards of worthy and eminent men's lives, from the malice, emulation, and ill designs of corrupt ministers of state, or otherwise potent persons, who might commit the most odious of murders in the form and course of justice, either by corrupting of judges, as dependent upon them for their honour and great revenue, or by bribing and hiring men of depraved principles, and desperate fortunes, to swear falsely against them. Therefore for securing equal and impartial justice, it is made a fundamental in our government, that, unless it be by parliament, no man's life shall be touched for any crime whatsoever, save by the judgment of at least twenty-four men; that is, twelve, or more, to find the bill of indictment, whether he be peer of the realm, or commoner; and twelve peers, or above, if a lord; if not, twelve commoners, to give the judgment upon the general issue joined."

It then proceeds to remark upon the importance that has always been afforded to the institution of the grand inquest or jury, and the care that has been taken to insure them being as free as possible from any unworthy influence—"I know too well," it continues, "that the wisdom and care of our ancestors in this institution of grand juries, hath not been of late considered as it ought; nor the laws concerning them duly observed; nor have the gentlemen and other men of estates in the several counties, discerned how insensibly their legal power and jurisdiction in their grand and petit juries is decayed, and much of the means to preserve their own lives and interests, taken out of their hands. It is a wonder that they were not more awakened with the attempt of the late lord chief justice Keyling, who would have usurped a lordly, dictatorial power over the grand jury of Somersetshire, and commanded them to find a bill of indictment for murder, for which they saw no evidence; and upon their refusal, he not only threatened the jury, but assumed to himself an arbitrary power to fine them." "But upon the complaint of one sir Hugh Windham, foreman of the said jury, and a member of the long parliament, the commons brought the then chief justice to their bar, to acknowledge his fault."

It had been maintained in several party works [a] that the grand jury have only to determine whether there is a probability of guilt in the prisoner, and that he ought to be tried; and that far less evidence will warrant a grand jury's indictment than a petit jury's verdict. Against this doctrine Somers strenuously and convincingly argues, and from the whole concludes that "if there ought to be any difference in the proceedings of the grand and petit juries, the greater exactness and diligence seems to be required in the former: for as the same work of finding out the truth, in order to the doing of justice, is allotted unto both, the greatest part of the burthen ought to lie upon them that have the best opportunities of performing it. The invalidity, weakness, or defects of the proofs may be equally evident to either of them; but if there be deceit in stifling true testimonies, or malice in suborning wicked persons to bring in such as are false, the grand jury may most easily, nay probably only can discover it: they are not straightened in time; they may freely examine in private, without interruption from the counsel or court, such witnesses as are presented unto them, or they shall think fit to call: they may jointly or severally inquire of their friends or acquaintance after the lives and reputations of the witnesses, or the accused persons, and all circumstances relating unto the matter in question, and consult together under the seal of secrecy."

[a] The Grand Juryman's Oath and Office, &c.

As to Turbervill, what happened soon after this will perhaps mitigate the censure. He was taken with the small-pox in a few days after lord Shaftesbury's trial. The symptoms were so bad that the physician told him he had no hope of his recovery; upon which he composed himself to die as became a Christian, and sent for Mr. Hewes, the curate of St. Martin's, who was a very worthy man, and from whom I had this account of him. Turbervill looked on himself as a dead man at the first time he came to him; but his disease did no way affect his understanding or his memory. He seemed to have a real sense of another state, and of the account that he was to give to God for his past life. Hewes charged him to examine himself, and, if he had sworn falsely against any man, to confess his sin and glorify God, though to his own shame. Turbervill, both in discourse and when he received the sacrament, protested that he had sworn nothing but the truth, in what he deposed both against lord Stafford and the earl of Shaftesbury; and renounced the mercies of God, and the benefit of the death of Christ, if he did not speak the plain and naked truth without any reservation: and he continued in the same mind to his death. So here were the last words of dying men, against the last words of those that suffered. To this may well be added, that one who died of sickness, and under a great depression in his spirits, was less able to stifle his conscience, and resist the impressions that it might then make on him, than a man who suffers on a scaffold, where the strength of the natural spirits is entire, or rather exalted by the sense of the cause he suffers for. And we know that confession and absolution in the church of Rome give a quiet, to which we do not pretend, where these things are said to be only ministerial, and not authoritative. About a year before this Tonge had died, who first brought out Oates. They quarrelled afterwards, and Tonge came to have a very bad opinion of Oates, upon what reason I know not. He died with expressions of a very high devotion; and he protested to all who came to see him, that he knew of no subornation in all that matter, and that he was guilty of none himself. These things put a man quite in the dark, and in this mist matters must be left till the great revelation of all secrets. And there I leave it, and from the affairs of England turn to give an account of what passed in Scotland during this disorder among us here.

The duke behaved himself upon his first going to Scotland in so obliging a manner, that the nobility and gentry, who had been so long trodden on by duke Lauderdale and his party, found a very sensible change; so that he gained much on them all. He continued still to support that side; yet things were so gently carried that there was no cause of complaint. It was visibly his interest to make that nation sure to him, and to give them such an essay of his government, as might dissipate all the hard thoughts of him with which the world was possessed; and he pursued this for some time with great temper, and as great success. He advised the bishops to proceed moderately, and to take no notice of conventicles in houses, and that would put an end to those in the fields. In matters of justice he showed an impartial temper, and encouraged all propositions relating to trade; and so, considering how much that nation was set against his religion, he made a greater progress in gaining upon them than was expected. He was advised to hold a parliament there in the summer eighty-one, and to take the character of the king's commissioner upon himself.

A strange spirit of fury had broken loose on some of the presbyterians, called Cargillites, from one Cargill, who had been one of the ministers of Glasgow in the former times, and was then very little considered, but now was much followed, to the great reproach of the nation. These held that the king had lost the right of the crown by his breaking the covenant which he had sworn at his coronation: so they said he was their king no more; and by a formal declaration they renounced all allegiance to him, which a party of them affixed to the cross of Dumfries, a town near the west border. The guards fell upon a party of them, whom they found in arms, where Cameron, one of their furious teachers (from whom they were also called Cameronians), was killed; but Hackston, that was one of the archbishop's murderers, and Cargill were taken. Hackston, when brought before the council, would not own their authority, nor make any answer to their questions. He was so low, by reason of his wounds, that it was thought he would die in the question if tortured; so he was in a very summary way condemned to have both his hands cut off, and then to be hanged. All this he suffered with a constancy that amazed all people; he seemed to be all the while as in an enthusias-

tical rapture, and insensible of what was done to him. When his hands were cut off, he asked, like one unconcerned, if his feet were to be cut off likewise. And he had so strong a heart, that notwithstanding all the loss of blood by his wounds, and the cutting off his hands, yet when he was hanged up, and his heart cut out, it continued to palpitate some time after it was on the hangman's knife, as some eye-witnesses assured me. Cargill and many others of that mad sect, both men and women, suffered with an obstinacy that was so particular, that though the duke sent the offer of pardon to them on the scaffold, if they would only say, "God bless the King," it was refused with great neglect. One of them, a woman, said, very calmly, "she was sure God would not bless him, and that, therefore, she would not take God's name in vain." Another said more sullenly, that she would not worship that idol, nor acknowledge any other king but Christ. And so both were hanged. About fifteen or sixteen died under this delusion, which seemed to be a sort of madness, for they never attempted anything against any person, only they seemed glad to suffer for their opinions. The duke stopped that prosecution, and appointed them to be put in a house of correction, and to be kept at hard labour. Great use was made of this by profane people to disparage the suffering of the martyrs for the Christian faith, from the unshaken constancy which these frantic people expressed. But this is undeniable, that men who die maintaining any opinion, show that they are firmly persuaded of it; so from this the martyrs of the first age, who died for asserting a matter of fact, such as the resurrection of Christ, or the miracles that they had seen, showed that they were well persuaded of the truth of those facts. And that is all the use that is to be made of this argument.

Now the time of the sitting of the parliament drew on. The duke seeing how great a man the earl of Argyle was in Scotland, concluded it was necessary for him either to gain him, or to ruin him. Lord Argyle gave him all possible assurances that he would adhere to his interest in every thing, except in the matters of religion; but added, that if he went to meddle with these, he owned to him freely that he would oppose him all he could. This was well enough taken in show; but lord Argyle said, he observed ever after that such a visible coldness and distrust, that he saw what he might expect from him. Some moved the excepting against the duke's commission to represent the king in parliament, since by law no man could execute any office without taking the oaths; and above forty members of parliament promised to stick to duke Hamilton, if he would insist on that. But Lockhart and Cunningham, the two lawyers on whose opinion they depended chiefly, said that a commission to represent the king's person fell not under the notion of an office: and since it was not expressly named in the acts of parliament, they thought it did not fall within the general words of "all places and offices of trust." So this was laid aside; and many who were offended at it complained of duke Hamilton's cowardice. He said for himself, he had been in a storm for seven years' continuance by his opposing duke Lauderdale, and that he would not engage in a new one with a stronger party, unless he was sure of the majority; and they were far from pretending to be able to bring matters to near an equality. The first act that passed was one of three lines, confirming all the laws formerly made against popery; the duke thought it would give a good grace to all that should be done afterwards, to begin with such a general and cold confirmation of all former laws. Some moved that a committee might be appointed to examine all the former laws (since some of them seemed unreasonably severe, as passed in the first heat of the Reformation), that so they might draw out of them all such as might be fit not only to be confirmed, but to be executed by better and more proper methods than those prescribed in the former statutes, which had been all eluded. But it was not intended that this new confirmation should have any effect; and therefore this motion was not harkened to. But the act was hurried on and passed.

The next act was for the unalterableness of the succession of the crown. It was declared high treason ever to move for any alterations in it. Lord Argyle ran into this with zeal, so did duke Hamilton; and all others that intended to merit by it made harangues about it. Lord Tweedale was the only man that ventured to move, that the act might be made as strict as was possible with relation to the duke; but he thought it not necessary to carry it further; since the queen of Spain stood so near the succession, and it was no amiable thing to be a province to Spain. Many were so ignorant as not to understand the relation of the

queen of Spain to the king, though she was his niece, and thought it an extravagant motion. He was not seconded, and the act passed without one contradictory vote. There was an additional revenue given for some years for keeping up more troops. Some complaints were also made of the lords of regalities, who have all the forfeitures and the power of life and death within their regalities. It was upon that promised that there should be a regulation of these courts, as there was indeed great cause for it, these lords being so many tyrants up and down the country; so it was intended to subject these jurisdictions to the supreme judicatories. But the act was penned in such words as imported that the whole course of justice all over the kingdom was made subject to the king's will and pleasure; so that instead of appeals to the supreme courts, all was made to end in a personal appeal to the king; and by this means he was made master of the whole justice and property of the kingdom. There was not much time given to consider things, for the duke, finding that he was master of a clear majority, drove on everything fast, and put bills on a very short debate to the vote, which went always as he had a mind to have it. An accident happened that begot in many a particular zeal to merit at his hands. Lord Rothes, who had much of his confidence, and was chiefly trusted by him, and was made a duke by his means, died the day before the opening of the parliament; so upon the hopes of succeeding him, as there were many pretenders, they tried who could deserve it best, by the most compliant submission and the most active zeal.

As they were going on in public business, one stood up in parliament and accused lord Halton, duke Lauderdale's brother, of perjury, on the account of Mitchell's business. He had in his hands the two letters that lord Halton had written to the earl of Kincardine, mentioning the promise of life that was made him; and, as was told formerly, lord Halton swore at his trial that no promise was made. The lord Kincardine was dead a year before this; but his lady had delivered those letters to be made use of against lord Halton. Upon reading them the matter appeared plain. The duke was not ill pleased to have both duke Lauderdale and him thus at mercy; yet he would not suffer the matter to be determined in a parliamentary way; so he moved, that the whole thing might be referred to the king, which was immediately agreed to. So that infamous business was made public, and yet stifled at the same time; and no censure was ever put on that base action. Another discovery was made of as wicked a conspiracy, though it had not such bad effects, because the tools employed in it could not be wrought up to such a determined pitch of wickedness. The lord Bargeny, who was nephew to duke Hamilton, had been clapped up in prison, as concerned in the rebellion of Bothwell-bridge. Several days were fixed on for his trial, but it was always put off; and at last he was let out without having any one thing ever objected to him. When he was at liberty he used all possible endeavours to find out on what grounds he had been committed. At last he discovered a conspiracy, in which Halton and some others of that party were concerned. They had practised on some, who had been in that rebellion, to swear that he and several others were engaged in it, and that they had sent them out to join in it. They promised these witnesses a large share of the confiscated estates, if they went through in the business. Depositions were prepared for them, and they promised to swear them. Upon which a day was fixed for their trial. But the hearts of those witnesses failed them, or their consciences rose upon them; so that when the day came on they could not bring themselves to swear against an innocent man, and plainly refused to do it. Yet, upon new practices and new hopes, they again resolved to swear boldly; upon which new days had been set twice or thrice; and, their hearts turning against it, they were still put off. Lord Bargeny had full proofs of all this ready to be offered; but the duke prevailed to have this likewise referred to the king; and it was never more heard of. This showed what duke Lauderdale's party were capable of. It likewise gave an ill character of the duke's zeal for justice, and against false swearing; though that had been the chief topic of discourse with him for above three years. He was angry at a supposed practice with witnesses, when it fell upon his own party; but now that there were evident proofs of perjury and subornation, he stopped proceedings under pretence of referring it to the king: who was never made acquainted with it, or at least never enquired after the proof of these allegations, nor ordered any proceedings upon them.

The main business of this parliament was the act concerning the new test that was proposed. It had been promised in the beginning of the session, that as soon as an act for maintaining the succession should pass, they should have all the security that they could desire for the protestant religion. So many zealous men began to call for some more effectual security for their religion; upon which a test was proposed, for all that should be capable of any office in church or state, or of electing or being elected members of parliament, that they should adhere firmly to the protestant religion; to which the court party added, the condemning of all resistance in any sort, or under any pretence, the renouncing the covenant, and an obligation to defend all the king's rights and prerogatives; and that they should never meet to treat of any matter, civil or ecclesiastical, but by the king's permission; and never endeavour any alteration in the government, in church or state. And they were to swear all this according to the literal sense of the words. The test was thus loaded at first to make the other side grow weary of the motion and let it fall, which they would willingly have done. But the duke was made to apprehend that he would find such a test as this prove much for his service; so it seems that article of the protestant religion was forgiven, for the service that was expected from the other parts of the test. There was a hot debate upon the imposing it on all that might elect, or be elected, members of parliament. It was said that was the most essential of all the privileges of the subjects, therefore they ought not to be limited in it. The bishops were earnest for this, which they thought would secure them for ever from a presbyterian parliament. It was carried in the vote; and that made many of the court more zealous than ever for carrying through the act. Some proposed that there should be two tests: one for papists, with higher incapacities, and another for presbyterians, with milder censures. But that was rejected with much scorn, some making their court, by saying, they were more in danger from the presbyterians than from the papists. And it was reported that Paterson, then bishop of Edinburgh, said to the duke, that he thought the two religions, popish and protestant, were so equally stated in his mind, that a few grains of loyalty, in which the protestants had the better of the papists, turned the balance with him. Another clause in the bill was liable to great objections: all the royal family were excepted out of it. Lord Argyle spoke zealously against this; he said, the only danger we could apprehend as to popery was if any of the royal family should happen to be perverted; therefore he thought it was better to have no act at all than such a clause in it. Some few seconded him; but it was carried without any considerable opposition. The nicest point of all was, what definition, or standard, should be made for fixing the sense of so general a term as "the protestant religion." Dalrymple proposed the confession of faith agreed on in the year one thousand five hundred and fifty-nine, and enacted in parliament in one thousand five hundred and sixty-seven, which was the only confession of faith that had then the sanction of a law. That was a book so worn out of use, that scarcely any one in the whole parliament had ever read it; none of the bishops had, as appeared afterwards. For these last thirty years, the only confession of faith that was read in Scotland, was that which the assembly of divines at Westminster, Anno 1648, had set out, which the Scotch kirk had set up instead of the old one; and the bishops had left it in possession, though the authority that enacted it was annulled. So here a book was made the matter of an oath, (for they were to swear that they would adhere to the protestant religion, as it was declared in the confession of faith enacted in the year 1567, that contained a large system of religion that was not so much as known to those who enacted it:) yet the bishops went all into it. Dalrymple, who had read it, thought there were propositions in it which, being better considered, would make the test be let fall; for in it the repressing of tyranny is reckoned a duty incumbent on good subjects. And the confession being made after the Scots had deposed the queen regent, and it being ratified in parliament after they had forced their queen Mary to resign, it was very plain what they, who made and enacted this confession, meant by the repressing of tyranny. But the duke and his party set it on so earnestly, that upon one day's debate the act passed, though only by a majority of seven voices. There was some appearance of security to the protestant religion by this test; but the prerogative of the crown in ecclesiastical matters had been raised so high by duke Lauderdale's act, that the

obliging all people to maintain that with the rest of the prerogative, might have made way for everything. All ecclesiastical courts subsisted now by this test, only upon the king's permission, and at his discretion.

The parliament of Scotland was dissolved soon after this act passed; and Hyde was sent down from the king to the duke immediately upon it. It was given out that he was sent by the king to press the duke upon this victory to show, that what ill usage could not extort from him he would now do of his own accord, and return to the church of England. I was assured that lord Halifax had prevailed with the king to write to him to that purpose. The letter was written, but was not sent; but lord Hyde had it in charge to manage it as a message. How much of this is true I cannot tell; one thing is certain, that if it was true it had no effect.

As soon as the test with the confession of faith was printed, there was a universal murmuring among the best of the clergy. Many were against the swearing to a system made up of so many propositions, of which some were at least doubtful; though it was found to be much more moderate in many points than could have been well expected, considering the heat of that time. There was a limitation put on the duty of subjects in the article, by which they were required not to resist any whom God had placed in authority, in these words, "While they pass not the bounds of their office." And in another they condemned those who resist the supreme power, "Doing that thing which appertaineth to his charge." These were propositions now of a very ill sound. They were also highly offended at the great extent of the prerogative in the point of supremacy, by which the king turned bishops out at pleasure by a letter. It was hard enough to bear this; but it seemed intolerable to oblige men by oath to maintain it. The king might by a proclamation put down even episcopacy itself, as the law then stood; and by this oath they would be bound to maintain that. All meeting in synods, or for ordinations, were hereafter to be held only by permission; so that all the visible ways of preserving religion depended now wholly on the king's good pleasure; and they saw that this would be a very feeble tenure under a popish king. The being tied to all this by oath seemed very hard. And when a church was yet in so imperfect a state, without liturgy or discipline, it was a strange imposition to make people swear never to endeavour any alteration either in church or state. Some, or all, of these exceptions did run so generally through the whole body of the clergy, that they were all shaking in their resolutions. To prevent this, an explanation was drawn by bishop Paterson, and passed in council. It was by it declared, that it was not meant that those who took the test should be bound to every article in the confession of faith, but only in so far as it contained the doctrine upon which the protestant churches had settled the reformation; and that the test did not cut off those rights which were acknowledged to have been in the primitive church for the first three hundred years after Christ; and an assurance was given, that the king intended never to change the government of the church. By this it was pretended that the greatest difficulties were now removed. But to this it was answered that they were to swear they took the oath in the literal sense of the words. So that if this explanation was not conform to the literal sense, they would be perjured who took it upon this explanation. The imposers of an oath could only declare the sense of it; but that could not be done by any other, much less by a lower authority, such as the privy council was confessed to be. Yet when men are to be undone if they do not submit to a hard law, they willingly catch at anything that seems to resolve their doubts.

About eighty of the most learned and pious of their clergy left all rather than comply with the terms of this law; and these were noted to be the best preachers, and the most zealous enemies to popery, that belonged to that church. The bishops, who thought their refusing the test was a reproach to those who took it, treated them with much contempt, and put them to many hardships. About twenty of them came up to England. I found them men of excellent tempers, pious and learned, and I esteemed it no small happiness that I had then so much credit by the ill opinion they had of me at court, that by this means I got most of them to be well settled in England; where they have behaved themselves so worthily, that I have great reason to rejoice in being made an instrument to get so many good men, who suffered for their consciences, to be again well employed, and well provided for. Most of

them were formed by Charteris, who had been always a great enemy to the imposing of books and systems, as tests that must be signed and sworn, by such as are admitted to serve in the church. He had been for some years divinity professor at Edinburgh, where he had formed the minds of many of the young clergy both to an excellent temper and to a set of very good principles. He upon this retired, and lived private for some years. He wrote to me, and gave me an account of this breach that was likely to be in the church; and desired that I would try, by all the methods I could think of, to stop the proceedings upon the test. But the king had put the affairs of Scotland so entirely in the duke's hands, and the bishops here were so pleased with those clauses in the test that renounced the covenant, and all endeavours for any alteration in church and state, that I saw it was in vain to make any attempt at court.

Upon this matter an incident of great importance happened. The earl of Argyle was a privy councillor, and one of the commissioners of the treasury; so when the time limited was near lapsing he was forced to declare himself. He had once resolved to retire from all employments, but his engagements with duke Lauderdale's party, and the entanglements of his own affairs, overcame that. His main objection lay to that part which obliged them to endeavour no alteration in the government in church or state, which he thought was a limitation of the legislature. He desired leave to explain himself on that point; and he continued always to affirm, that the duke was satisfied with that which he proposed; so being called on the next day at the council table to take the test, he said he did not think that the parliament did intend an oath that should have any contradictions in one part of it to another; therefore he took the test, as it was consistent with itself; (this related to the absolute loyalty in the test, and the limitations that were on it in the confession:) and he added that he did not intend to bind himself up by it from doing anything in his station for the amending of anything in church or state, so far as was consistent with the protestant religion and the duty of a good subject; and he took that as a part of his oath. The thing passed, and he sat that day in council, and went next day to the treasury chamber, where he repeated the same words. Some officious people upon this came and suggested to the duke, that great advantage might be taken against him from these words. So at the treasury chamber he was desired to write them down and give them to the clerk, which he did, and was immediately made a prisoner in the castle of Edinburgh upon it. It was said this was high treason, and the assuming to himself the legislative power, in his giving a sense of an act of parliament, and making that a part of his oath. It was also said, that his saying that he did not think the parliament intended an oath that did contradict itself, was a tacit way of saying that he did think it, and was a defaming and a spreading lies of the proceedings of parliament, which was capital. The liberty that he reserved to himself was likewise called treasonable, in assuming a power to act against law. These were such apparent stretches, that for some days it was believed all this was done only to affright him to a more absolute submission, and to surrender up some of those great jurisdictions over the Highlands that were in his family*. He desired he might be admitted to speak with the duke in private, but that was refused. He had let his old correspondence with me fall for some years; but I thought it became me in this extremity to serve him all I could. And I prevailed with lord Halifax to speak so oft to the king about it, that it came to be known; and lord Argyle wrote me some letters of thanks upon it. Duke Lauderdale was still in a firm friendship with him, and tried his whole strength with the king to preserve him; but he was sinking both in body and mind, and was likely to be cast off in his old age. Upon which I also prevailed with lord Halifax to offer him his service, for which duke Lauderdale sent me very kind messages. I thought these were the only returns that I ought to make him for all the injuries he had done me, thus to serve him and his friends in distress. But the duke of York took this, as he did everything from me, by the worst handle possible. He said I would reconcile myself to the g eatest enemies I had in opposition to him. Upon this it was not thought fit upon many accounts that I should go and see duke Lauderdale, which I

* These were greatly reduced by his attainder. In the 20th of Geo. II. (1747), the claims for Heritable Jurisdictions by the duke of Argyle were only 2,600*l.*—Roll of Claims, published in 1748.

had intended to do. It was well known I had done him acts of friendship; so the scandal of being in enmity with him was over; for a Christian is no man's enemy: and he will always study to overcome evil with good.

Lord Argyle was brought to a trial for the words he had spoken. The fact was certain; so the debate lay on a point of law, what guilt could be made out of his words. Lockhart pleaded three hours for him, and showed so manifestly that his words had nothing criminal, much less of treason, in them, that, if his cause had not been determined before his trial, no harm could have come to him. The court that was to judge the point of law (or the relevancy of the libel, as it is called in Scotland,) consisted of a justice-general, the justice-clerk, and of five judges. The justice-general does not vote, unless the court is equally divided. One of the judges was deaf, and so old that he could not sit all the while the trial lasted, but went home and to bed. The other four were equally divided. so the old judge was sent for: and he turned it against lord Argyle. The jury was only to find the fact proved; but they were officious, and found it treason; and to make a show of impartiality, whereas in the libel he was charged with perjury for taking the oath falsely, they acquitted him of the perjury. No sentence in our age was more universally cried out on than this. All people spoke of it, and of the duke, who drove it on, with horror. All that was said to lessen that was, that duke Lauderdale had restored the family with such an extended jurisdiction, that he was really the master of all the Highlands; so that it was fit to attaint him, that by a new restoring him, these grants might be better limited. This, as the duke wrote to the king, was all he intended by it, as lord Halifax assured me. But lord Argyle was made believe that the duke intended to proceed to execution. Some more of the guards were ordered to come to Edinburgh. Rooms were also fitted for him in the common jail, to which peers used to be removed a few days before their execution. And a person of quality, whom lord Argyle never named, affirmed to him, on his honour, that he heard one, who was in great favour, say to the duke, the thing must be done, and that it would be easier to satisfy the king about it after it was done, than to obtain his leave for doing it. It is certain, many of the Scotch nobility did believe that it was intended he should die.

Upon these reasons lord Argyle made his escape out of the castle in a disguise. Others suspected those stories were sent to him on purpose to frighten him to make his escape; as that which would justify further severities against him. He came to London, and lurked for some months there. It was thought I was in his secret. But though I knew one that knew it, and saw many papers that he then wrote, giving an account of all that matter, yet I abhorred lying; and it was not easy to have kept out of the danger of that, if I had seen him, or known where he was; so I avoided it by not seeing him. One that saw him knew him, and went and told the king of it; but he would have no search made for him, and retained still very good thoughts of him. In one of lord Argyle's papers he wrote, that if ever he was admitted to speak with the king, he could convince him how much he merited at his hands, by that which had drawn the duke's indignation on him. He that showed me this explained it, that at the duke's first being in Scotland, when he apprehended that the king might have consented to the exclusion, he tried to engage lord Argyle to stick to him in that case; who told him, he would always be true to the king, and likewise to him when it should come to his turn to be king; but that he would go no further, nor engage himself, in case the king and he should quarrel.

I had lived many years in great friendship with the earl of Perth: I lived with him as a father with a son for above twelve years, and he had really the submission of a child to me. So, he having been on lord Argyle's jury, I wrote him a letter about it, with the freedom that I thought became me. He, to merit at the duke's hands, showed it to him, as he himself confessed to me. I could very easily forgive him, but could not esteem him much after so unworthy an action. He was then aspiring to great preferment, and so sacrificed me to obtain favour; but he made greater sacrifices afterwards. The duke now seemed to triumph in Scotland. All stooped to him. The presbyterian party was much depressed. The best of the clergy were turned out. Yet, with all this, he was now more hated there than ever. Lord Argyle's business made him be looked on as one that would prove a terrible master when all should come into his hands. He had promised to redress all the merchants'

grievances with relation to trade, that so he might gain their concurrence in parliament; but as soon as that was over, all his promises were forgotten. The accusations of perjury were stifled by him. And all the complaints of the great abuse lord Halton was guilty of, in the matter of the coin, ended in turning him out of all his employments, and obliging him to compound for his pardon by paying 20,000*l.* to two of the duke's creatures; so that all the reparation the kingdom had for the oppression of so many years, and so many acts of injustice, was, that two new oppressors had a share of the spoils, who went into the same tract, or rather invented new methods of oppression. All these things, together with a load of age and of a vast bulk, sank duke Lauderdale so that he died that summer. His heart seemed quite spent; there was not left above the bigness of a walnut of firm substance: the rest was spongy, more like the lungs than the heart.

The duke had leave given him to come to the king at Newmarket; and there he prevailed for leave to come up and live again at court. As he was going back to bring the duchess, the Gloucester frigate that carried him struck on a bank of sand. The duke got into a boat, and took care of his dogs, and some unknown persons, who were taken, from that earnest care of his, to be his priests. The long-boat went off with very few in her, though she might have carried off above eighty more than she did. One hundred and fifty persons perished: some of them men of great quality. But the duke took no notice of this cruel neglect, which was laid chiefly to Leg's charge*.

In Scotland the duke declared the new ministers. Gordon, now earl of Aberdeen, was made chancellor, and Queensbury was made treasurer; and the care of all affairs was committed to them. The duke at parting recommended to the council to preserve the public peace, to support the church, and to oblige all men to live regularly in obedience to the laws. The bishops made their court to him with so much zeal, that they wrote a letter to the archbishop of Canterbury, to be communicated to the rest of the English bishops, setting forth in a very high strain his affection to the church, and his care of it; and, lest this piece of merit should have been stifled by Sancroft, they sent a copy of it to the press; which was

* When the duke proceeded from Margate to Leith in May 1682, he was nearly lost upon a sand in Yarmouth Roads. The Gloucester frigate, on which he was aboard, was wrecked, and about one hundred and ten persons perished: among them were the lords Perth, Middleton, Roxburgh, Hopton, and O'Brien, lieutenant Hyde, brother to the lord treasurer, and many other distinguished persons. The duke on this occasion certainly did not conduct himself with a becoming regard for human life. It does not appear to be demonstrated that he took his dogs into the boat to the exclusion of more valuable beings, as asserted by Burnet; but it is very certain that he was much too anxious to preserve his strong-box and the papers unwetted, when he might have been paying greater attention to the saving of the lives of his companions—companions "who, though ready to be swallowed up, gave a great huzza as soon as they saw his royal highness in safety[a]." In his first letter to lord Hyde, after the loss of his brother, there is much too little notice of the catastrophe, and too much obtruding of his own affairs.—(Memoirs of James the Second, by himself; Memoirs of Sam. Pepys, by lord Braybrooke, ii. 57—59; Singer's Clarendon Correspond. i. 67, &c.; Dalrymple's Memoirs, App. 68—71.) In a letter of the earl of Dartmouth, written in 1724, he thus defends his father's (Mr. Legg's) conduct on this occasion.—"My father was on board the Gloucester. After the ship had struck he several times pressed the duke to get into the boat, who refused to do so, saying, that if he were gone, nobody would take care of the ship, which he had hopes might be saved if not abandoned. My father, finding she was ready to sink, told him if he stayed any longer they should be obliged to force him out; upon which the duke ordered a strong box to be lifted into the boat, which, besides being very weighty, took up much room and time. My father asked, with some warmth, if there was anything in it worth a man's life. The duke answered that there were things of so great consequence, both to the king and himself, that he would hazard his own rather than it should be lost. Before he went off he enquired for lords Roxburgh and O'Brien, but the confusion and hurry was so great they could not be found. When the duke and as many as she would hold with safety were in the boat, my father stood with his sword drawn to hinder the crowd from oversetting her; which is what I suppose the bishop (Burnet) esteemed a fault. But the king thanked him publicly for the care he had taken of the duke; and the duchess, who was not apt to favour him much upon other occasions, said upon this, she thought herself more obliged to him than to any man in the world, and should do so as long as she lived. I believe the bishop's reflection upon the duke for his care of the dogs to be ill-grounded; for I remember a story, in everybody's mouth at the time, of a struggle that happened for a plank between sir Charles Scarborough and the duke's dog, Mumper, which convinces me that the dogs were left to take care of themselves, as he did, if there were any more on board, which I never heard until the bishop's story book was published."—Sir John Dalrymple's Memoirs, Appendix, p. 71.

[a] Sir John Berry, in an official report of the narrative, observes, "The government of the ship being lost, and every one crying for help, yet amidst all this disorder and confusion, I could not but observe the great duty the poor seamen had for the preservation of his royal highness's person; when the barge was hoisting out, and lowered down into the water, not one man so much as proffered to run into her; but in the midst of all their affliction and dying condition did rejoice and thank God his royal highness was preserved."—Some Hist. Memoirs of the Duke of York in 1682—Singer's Clarendon Corr. i. 71.

a greater reproach to them than a service to the duke, who could not but despise such abject and indecent flattery. The proceedings against conventicles were now likely to be severer than ever; all the fines, that were set so high by law that they were never before levied, but on some particular instances, were now ordered to be levied without exception. All people upon that saw they must either conform, or be quite undone. The chancellor laid down a method for proceeding against all offenders punctually; and the treasurer was as rigorous in ordering all the fines to be levied.

When the people saw this, they came all to church again: and that in some places where all sermons had been discontinued for many years. But they came in so awkward a manner that it was visible they did not mean to worship God, but only to stay some time within the church walls; and they were either talking, or sleeping, all the while. Yet most of the clergy seemed to be transported with this change of their condition, and sent up many panegyrics of the glorious services that the duke had done their church. The enemies of religion observed the ill nature of the one side, and the cowardliness of the other, and pleased themselves in censuring them both. And by this means an impious and atheistical leaven began to corrupt most of the younger sort. This has since that time made a great progress in that kingdom, which was before the freest from it of any nation in Christendom. The beginnings of it were reckoned from the duke's stay among them, and from his court, which have been cultivated since with much care and but too much success.

About the end of the year, two trials gave all people sad apprehensions of what they were to look for. One Home was charged by a kinsman of his own, for having been at Bothwell Bridge. All gentlemen of estates were excepted out of the indemnity; so he, having an estate, could have no benefit by that. One swore he saw him go into a village and seize on some arms; another swore he saw him ride towards the body of the rebels; but none did swear that they saw him there. He was indeed among them, but there was no proof of it. And he proved, that he was not in the company where the single witness swore he saw him seize on arms, and did evidently discredit him; yet he was convicted and condemned on that single evidence that was so manifestly proved to be infamous. Many were sensible of the mischievousness of such a precedent; and great applications were made to the duke for saving his life; but he was not born under a pardoning planet. Lord Aberdeen, the chancellor, prosecuted Home with the more rigour, because his own grandfather had suffered in the late times for bearing arms on the king's side, and Home's father was one of the jury that cast him. The day of his execution was set to be on the same day of the year on which lord Stafford had suffered; which was thought done in compliment to the duke, as a retaliation for his blood. Yet Home's infamous kinsman, who had so basely sworn against him, lived not to see his execution; for he died before it, full of horror for what he had done. Another trial went much deeper; and the consequences of it struck a terror into the whole country.

One Weir of Blakewood, that managed the marquis of Douglas's concerns, was accused of treason for having kept company with one that had been in the business of Bothwell Bridge. Blakewood pleaded for himself, that the person, on whose account he was now prosecuted as an abettor of traitors, had never been marked out by the government by process, or proclamation. It did not so much as appear that he had ever suspected him upon that account. He had lived in his own house quietly for some years after that rebellion, before he employed him: and if the government seemed to forget his crime, it was no wonder if others entered into common dealings with him. All the lawyers were of opinion, that nothing could be made of this prosecution: so that Blakewood made use of no secret application, thinking he was in no danger. But the court came to a strange sentence in this matter, by these steps: they judged, that all men who suspected any to have been in the rebellion, were bound to discover such their suspicion, and to give no harbour to such persons: that the bare suspicion made it treason to harbour the person suspected, whether he was guilty or not: that if any person was under such a suspicion, it was to be presumed that all the neighbourhood knew it: so that there was no need of proving that against any particular person, since the presumption of law did prove it: and it being proved that the person with whom Blakewood had conversed lay under that suspicion, Blakewood was upon

that condemned as guilty of high treason. This was such a constructive treason, that went upon so many unreasonable suppositions, that it shewed the shamelessness of a sort of men, who had been for forty years declaiming against a parliamentary attainder for a constructive treason in the case of the earl of Stafford, and did now in a common court of justice condemn a man upon a train of so many inferences, that it was not possible to make it look even like a constructive treason. The day of his execution was set; and though the marquis of Douglas wrote earnestly to the duke for his pardon, that was denied. He only obtained two months' reprieve for making up his accounts. The reprieve was renewed once or twice: so Blakewood was not executed. This put all the gentry in a great fright: many knew they were as obnoxious as Blakewood was: and none could have the comfort to know that he was safe. This revived among them a design, that Lockhart had set on foot ten years before, of carrying over a plantation to Carolina. All the presbyterian party saw they were now disinherited of a main part of their birthright, of choosing their representatives in parliament: and upon that they said, they would now seek a country where they might live undisturbed, as freemen, and as Christians. The duke encouraged the motion. he was glad to have many untoward people sent far away, who he reckoned would be ready upon the first favourable conjuncture, to break out into a new rebellion. Some gentlemen were sent up to treat with the patentees of Carolina: they did not like the government of those palatinates, as they were called: yet the prospect of so great a colony obtained to them all the conditions they proposed. I was made acquainted with all the steps they made; for those who were sent up were particularly recommended to me. In the negotiation this year there was no mixing with the malcontents in England: only they who were sent up went among them, and informed them of the oppressions they lay under; in particular of the terror with which this sentence against Blakewood had struck them all. The court resolved to prosecute that farther: for a proclamation was issued out in the beginning of the year eighty-three, by which the king ordered circuit courts to be sent round the western and southern counties, to enquire after all who had been guilty of harbouring, or conversing with, those who had been in rebellion, even though there had been neither process nor proclamation issued out against them. He also ordered, that all who were found guilty of such converse with them should be prosecuted as traitors. This inquisition was to last three years: and at the end of that time all was to conclude in a full indemnity to such as should not be then under prosecution. But the indemnity was to take place immediately to all such as should take the test. This was perhaps such a proclamation as the world had not seen since the days of the duke of Alva. Upon it great numbers ran in to take the test, declaring at the same time that they took it against their consciences; but they would do any thing to be safe. Such as resolved not to take it were trying how to settle or sell their estates, and resolved to leave the country, which was now in a very oppressed and desperate state.

But I must next turn again to the affairs of England. The court was every where triumphant: the duke was highly complimented by all, and seemed to have overcome all difficulties. The court, not content with all their victories, resolved to free themselves from the fears of troublesome parliaments for the future. The cities and boroughs of England were invited, and prevailed on, to demonstrate their loyalty, by surrendering up their charters, and taking new ones modelled as the court thought fit. It was much questioned whether those surrenders were good in law or not: it was said, that those who were in the government in corporations, and had their charters and seals trusted to their keeping, were not the proprietors, nor masters of those rights: they could not extinguish those corporations, nor part with any of their privileges. Others said, that whatever might be objected to the reason and equity of the thing, yet, when the seal of a corporation was put to any deed, such a deed was good in law. The matter goes beyond my skill in law to determine it: this is certain, that whatsoever may be said in law, there is no sort of theft or perfidy more criminal than for a body of men, whom their neighbours have trusted with their concerns, to steal away their charters, and affix their seals to such a deed, betraying in that their trust and their oaths. In former ages corporations were jealous of their privileges and customs to excess and superstition: so that it looked like a strange degeneracy, when all these were now delivered up; and this on design to pack a parliament, that might make way for a popish

king. So that, instead of securing us from popery under such a prince, these persons were now contriving ways to make all easy to him. Popery at all times has looked odious and cruel: yet what the emperor had lately done in Hungary, and what the king of France was then doing against protestants in that kingdom, shewed that their religion was as perfidious and as cruel in this age, as it had been in the last: and by the duke's government of Scotland, all men did see what was to be expected from him. All this laid together, the whole looked like an extravagant fit of madness: yet no part of it was so unaccountable, as the high strains to which the universities and most of the clergy were carried. The non-conformists were now prosecuted with much eagerness: this was visibly set on by the papists; and it was wisely done of them; for they knew how much the non-conformists were set against them; and therefore they made use of the indiscreet heat of some angry clergymen to ruin them: this they knew would render the clergy odious, and give the papists great advantages against them, if ever they should run into an opposition to their designs.

At Midsummer a new contest discovered how little the court resolved to regard either justice or decency. The court had carried the election of sir John Moor to be mayor of the city of London at Michaelmas eighty-one. He was the alderman on whom the election fell in course. Yet some who knew him well were for setting him aside, as one whom the court would easily manage. He had been a non-conformist himself, till he grew so rich, that he had a mind to go through the dignities of the city: but though he conformed to the church, yet he was still looked on, as one that in his heart favoured the sectaries: and upon this occasion he persuaded some of their preachers to go among their congregations to get votes for him. Others, who knew him to be a flexible and faint-hearted man, opposed his election: yet it was carried for him. The opposition that was made to his election had sharpened him so much, that he became in all things compliant to the court, in particular to secretary Jenkins, who took him into his own management. When the day came, in which the mayor used to drink to one, and to mark him out for sheriff, he drank to North, a merchant that was brother to the chief justice. Upon that it was pretended, that this ceremony was not a bare nomination, which the common hall might receive or refuse, as they had a mind to it; but that this made the sheriff, and that the common hall was bound to receive and confirm him in course, as the king did the mayor. On the other hand it was said, that the right was to be determined by the charter, which granted the election of the sheriffs to the citizens of London; and that, whatever customs had crept in among them, the right still lay where the charter had lodged it among the citizens. But the court was resolved to carry this point; and they found orders that had been made in the city concerning this particular, which gave some colour to this pretension of the mayor's. So he claimed it on Midsummer day; and said, the common hall were to go and elect one sheriff, and to confirm the other that had been declared by him. The hall on the other hand said, that the right of choosing both was in them. The old sheriffs put it according to custom to a poll: and it was visible, the much greater number was against the lord mayor. The sheriffs were always understood to be the officers of that court: so the adjourning it belonged to them: yet the mayor adjourned the court, which they said he had no power to do, and so went on with the poll. There was no disorder in the whole progress of the matter, if that was not to be called one, that they proceeded after the mayor had adjourned the poll: but though the mayor's party carried themselves with great insolence towards the other party, yet they shewed on this occasion more temper than could have been expected from so great a body, who thought their rights were now invaded. The mayor upon this resolved to take another poll, to which none should be admitted, but those who were contented to vote only for one, and to approve his nomination for the other. And it was resolved, that his poll should be that, by which the business should be settled: and though the sheriff's poll exceeded his by many hundreds, yet order was given to return those on the mayor's poll, and that they should be sworn; and so those of the sheriff's poll should be left to seek their remedy by law, where they could find it. Box, who was chosen by the mayor's party and joined to North, had no mind to serve upon so doubtful an election, where so many actions would lie, if it was judged against them at law: and he could not be persuaded to hold it. So it was necessary to call a new common hall, and to proceed to a new election: and then, without any proclamation made, as

was usual, one in a corner near the mayor named Rich, and about thirty more, applauded it; the rest of those in the hall, that was full of people and of noise, hearing nothing of it. Upon this it was said, that Rich was chosen without any contradiction: and so North and Rich were returned, and sworn sheriffs for the ensuing year. The violence and the injustice with which this matter was managed, shewed, that the court was resolved to carry that point at any rate: and this gave great occasions of jealousy, that some wicked design was on foot, for which it was necessary, in the first place, to be sure of favourable juries.

Lord Shaftesbury upon this, knowing how obnoxious he was, went out of England. His voyage was fatal to him: he just got to Amsterdam to die in it. Of the last parts of his life I shall have some occasion to make mention afterwards. When Michaelmas day came, those who found how much they had been deceived in Moor, resolved to choose a mayor that might be depended on. The poll was closed when the court thought they had the majority; but upon casting it up it appeared they had lost it: so they fell to canvass it: and they made such exceptions to those of the other side, that they discounted as many voices as gave them the majority. This was also managed in so gross a manner, that it was visible the court was resolved by fair or foul means to have the government of the city in their own hands. But because they would not be at this trouble, nor run this hazard every year, it was resolved that the charter of the city must either be given up, or be adjudged to the king. The former was much the easier way; so great pains was taken to manage the next election of the common council, so as that they might be tractable in this point. There was much injustice complained of in many of the wards of the city, both in the poll, and in the returns that were made. In order to the disabling all the dissenters from having a vote in that election, the bishop and clergy of London were pressed by the court to prosecute them in the church courts, that so they might excommunicate them; which some lawyers thought would render them incapable to vote, though other lawyers were very positively of another opinion. It is certain it gave at least a colour to deny them votes. The bishop of London began to apprehend that things were running too fast, and was backward in the matter. The clergy of the city refused to make presentments: the law laid that on the churchwardens: and so they would not meddle officiously. The king was displeased with them for their remissness: but after all the practices of the court, in the returns of the common council of the city, they could not bring it near an equality for delivering up their charter. Jenkins managed the whole business of the city with so many indirect practices, that the reputation he had for probity was much blemished by it: he seemed to think it was necessary to bring the city to a dependence on the court in the fairest methods he could fall on; and, if these did not succeed, that then he was to take the most effectual ones, hoping that a good intention would excuse bad practices.

The earl of Sunderland had been disgraced after the exclusion parliaments, as they were now called, were dissolved: but the king had so entire a confidence in him, and lady Portsmouth was so much in his interests, that upon great submissions made to the duke, he was again restored to be secretary this winter. Lord Hyde was the person that disposed the duke to it. Upon that lord Halifax and he fell to be in ill terms; for he hated lord Sunderland beyond expression, though he had married his sister. From lord Sunderland's returning to his post, all men concluded, that his declaring as he did for the exclusion, was certainly done by direction from the king, who naturally loved craft and a double game, that so he might have proper instruments to work by, which way soever he had turned himself in that affair. The king was the more desirous to have lord Sunderland again near him, that he might have somebody about him who understood foreign affairs. Jenkins understood nothing; but he had so much credit with the high church party, that he was of great use to the court. Lord Conway was brought in to be the other secretary, who was so very ignorant of foreign affairs, that his province being the north, when one of the foreign ministers talked to him of the circles of Germany, it amazed him: he could not imagine what circles had to do with affairs of state. He was now dismissed. Lord Halifax and lord Hyde fell to be in an open war, and were both much hated. Lord Halifax charged Hyde, who was at this time made earl of Rochester, with bribery, for having farmed a branch of the revenue much lower than had been proffered for it. Lord Halifax acquainted the king first with it; and,

as he told me, he desired lord Rochester himself to examine into it, he being inclined to think it was rather an abuse put on him, than corruption in himself. But he saw lord Rochester was cold in the matter, and instead of prosecuting any for it, protected all concerned in it. He laid the complaint before the king in council: and to convince the king how ill a bargain he had made, the complainers offered, if he would break the bargain, to give him 40,000*l.* more than he was to have from the farmers. He looked also into the other branches of the revenue, and found cause to suspect much corruption in every one of them: and he got undertakers to offer at a farm of the whole revenue. In this he had all the court on his side: for the king being now resolved to live on his revenue, without putting himself on a parliament, he was forced on a great reduction of expense: so that many payments ran in arrear: and the whole court was so ill paid, that the offering any thing that would raise the revenue, and blemish the management of the treasury, was very acceptable to all in it. Lord Rochester was also much hated: but the duke and the lady Portsmouth both protected the earl of Rochester so powerfully, that even propositions to the king's advantage, which blemished him, were not hearkened to. This touched in too tender a place to admit of a reconciliation: the duke forgot all lord Halifax's service in the point of the exclusion: and the dearness that was between them, was now turned upon this to a coldness, and afterwards to a most violent enmity. Upon this occasion lord Halifax sent for me, (for I went no more near any that belonged to the court,) and he told me the whole matter. I asked him how he stood with the king: he answered, that neither he, nor I, had the making of the king: God had made him of a particular composition. He said, he knew what the king said to himself: I asked him, if he knew likewise what he said to others; for he was apt to say to his several ministers, whatsoever he thought would please them, as long as he intended to make use of them. By the death of the earl of Nottingham the seals were given to North, who was made lord Guilford. He had not the virtues of his predecessor, but he had parts far beyond him; they were turned to craft: so that whereas the former seemed to mean well even when he did ill, this man was believed to mean ill even when he did well. The court finding that the city of London could not be wrought on to surrender their charter, resolved to have it condemned by a judgment in the king's bench. Jones had died in May: so now Pollexfen and Treby were chiefly relied on by the city in this matter. Sawyer was the attorney-general; a dull, hot man, and forward to serve all the designs of the court *. He undertook by the advice of Saunders, a learned but a very immoral man, to overthrow the charter.

The two points upon which they rested the cause were, that the common council had

* Sir George Treby was a native of Devonshire, where he was born, at or near Plympton, about the year 1654. He left college without taking his degree, and was called to the bar by the benchers of the Middle Temple. He speedily became known for his legal acquirements. In 1679 he was a representative in parliament of Plympton; and was appointed chairman of the *committee of secrecy* relating to the development of evidence concerning the popish plot. In 1680 he was a manager of the prosecution against the earl of Stafford. In the same year, sir George Jeffreys being deprived of the recordership of London, for checking the petitions to the king relative to calling a parliament, Treby was elected to succeed him, and was knighted; but when the presbyterian plot was prosecuted, or discovered in 1683, he was deprived of his office. In 1688 he was made solicitor-general, Pollexfen being then made attorney-general; and the year following he succeeded to the latter preferment upon Pollexfen being raised to the bench. In 1692 he was made a sergeant, and shortly after lord chief justice of the Common Pleas. He died in 1701.—(Wood's Athenæ Oxon.; Noble's Cont. of Grainger.) As an advocate and a judge he was distinguished for the maintenance of the public liberties; his chief foible was a fondness for wine. His works throw considerable light upon some of the public transactions of his period. They are "A Collection of Letters, &c. relating to the Popish Plot;" "Truth Vindicated; or, a Detection of the Scandals cast upon Sir Robert Clayton, and Sir George Treby, justices, and Slingsby Bethel and Henry Cornish, sheriffs, &c.;" this, and a pamphlet by Dr. Hawkins, related to the Confession of Fitzharris, the informer; "Speech to the Prince of Orange in 1688;" "Pleadings and Arguments upon the Quo Warranto, touching the Charter of the City of London." He is supposed to have written the marginal notes to Dyer's Reports.—Woolrych's Life of Jeffreys.

Sir Robert Sawyer was the son of sir Edmund Sawyer, who resided near Windsor. He was a barrister of the Inner Temple, having previously completed his education at Magdalen College, Cambridge. He seems to have possessed inflexible integrity. In 1661 he represented in parliament Great Wycomb. He became attorney-general, and was knighted in 1680, succeeding sir Cresswell Levinz in that office. He lost his place for denying and opposing James the Second's dispensing power. Although he mitigated the brutal violence of Jeffreys during the trial of Plunket, yet he has been justly censured for similar disgraceful conduct at the trial of Lord William Russell. He had a large estate at High-Clere, in Hampshire, where he died, in 1692.—Wood's Fasti Oxon.; Grainger's Gen. Biog. Dict., &c.

petitioned the king, upon a prorogation of parliament, that it might meet on the day to which it was prorogued, and had taxed the prorogation as that which occasioned a delay of justice: this was construed to be raising sedition, and possessing the people with an ill opinion of the king and his government. The other point was, that the city had imposed new taxes on their wharfs and markets, which was an invasion of the liberty of the subject, and contrary to law. It was said, that all that the crown gave was forfeitable back to the crown again, upon a malversation of the body; and that as the common council was the body of the city, chosen by all the citizens, so they were all involved in what the common council did: and they inferred, that since they had both scandalized the king's government, and oppressed their fellow-subjects, they had thereupon forfeited their liberties: many precedents were brought of the seizing on the liberties of towns, and other corporations, and of extinguishing them.

The arguments against this were made by Treby, then the recorder of London, and Pollexfen, who argued about three hours apiece. They laid it down for a foundation, that trading corporations were immortal bodies, for the breeding a succession of trading men, and for perpetuating a fund of public chambers, for the estates of orphans, and trusts, and for all pious endowments: that crimes committed, by persons entrusted in the government of them, were personal things, which were only chargeable on those who committed them, but could not affect the whole body: the treason of a bishop, or a clerk, only forfeited his title, but did not dissolve the bishopric, or benefice: so the magistrates only were to be punished for their own crimes: an entailed estate, when a tenant for life was attainted, was not forfeited to the king, but went to the next in remainder upon his death. The government of a city, which was a temporary administration, vested no property in the magistrates: and therefore they had nothing to forfeit, but what belonged to themselves: there were also express acts of parliament made in favour of the city, that it should not be punished for the misdemeanors of those who bore office in it: they answered the great objection, that was brought from the forfeitures of some abbeys, on the attainder of their abbots in king Henry the Eighth's time, that there were peculiar laws made at that time, upon which those forfeitures were grounded, which had been repealed since that time: all those forfeitures were confirmed in parliament, and that purged all defects: the common council was a selected body, chosen for particular ends; and if they went beyond these, they were liable to be punished for it: if the petition they offered the king was seditious, the king might proceed against every man that was concerned in it: and those upon whom those taxes had been levied, might bring their actions against those who had levied them. But it seemed very strange, that when none of the petitioners were proceeded against for any thing contained in that petition, and when no actions were brought on the account of those taxes, that the whole body should suffer in common for that, which none of those who were immediately concerned in it, had been so much as brought in question for, in any court of law: if the common council petitioned more earnestly than was fitting for the sitting of the parliament, that ought to be ascribed to their zeal for the king's safety, and for the established religion: and it ought not to be strained to any other sense, than to that which they profess, in the body of their petition, much less to be carried so far as to dissolve the whole body on that account: and as for the tolls and taxes, these were things practised in all the corporations of England, and seemed to be exactly according to law: the city, since the fire, had, at a vast charge, made their wharfs and markets much more noble and convenient than they were before; and therefore they might well deny the benefit of them to those, who would not pay a new rate, that they set on them for the payment of the debt contracted in building them: this was not the imposing a tax, but the raising a rent out of a piece of ground, which the city might as well do, as a man who rebuilds his house may raise the rent of it: all the precedents that were brought were examined and answered: some corporations were deserted, and so upon the matter dissolved themselves: judgments in such cases did not tally with this in hand. The seizing on the liberties of a corporation did not dissolve the body; for when a bishop dies the king seizes the temporalities; but the corporation still subsists; and they are restored to the next incumbent. There were indeed some very strange precedents made in Richard the Second's time; but they were followed by as strange a reverse: the judges were hanged for the

judgments they gave: they also insisted on the effects that would follow on the forfeiting the charter: the custom of London was thereby broken: all the public endowments, and charities lodged with the city, must revert to the heirs of the donors. This is the substance of the argument, as I had it from Pollexfen. As for the more intricate points of law, I meddle not with them, but leave them to the learned men of that profession. When the matter was brought near judgment, Saunders, who had planned the whole thing, was made chief justice. Pemberton, who was not satisfied in the point, being removed to the common pleas, upon North's advancement. Dolben, a judge of the king's bench, was found not to be clear: so he was turned out, and Withins came in his room. When sentence was to be given, Saunders was struck with an apoplexy; so he could not come into court: but he sent his judgment in writing, and died a few days after *. The sentence was given without the solemnity that was usual upon great occasions: the judges were wont formerly in delivering their opinions to make long arguments, in which they set forth the grounds of law on which they went, which were great instructions to the students and barristers; but that had been laid aside ever since Hale's time.

The judgment now given was, that a city might forfeit its charter; that the malversations of the common council were the acts of the whole city, and that the two points set forth in the pleadings were just grounds for the forfeiting of a charter. Upon which premises the proper conclusion seemed to be, that therefore the city of London had forfeited its charter: but the consequences of that were so much apprehended, that they did not think fit to venture on it; so they judged, that the king might seize the liberties of the city. The attorney-general moved, contrary to what is usual in such cases, that the judgment might not be recorded. And upon that, new endeavours were used to bring the common council to deliver up their charter: yet that could not be compassed, though it was brought much nearer in the numbers of the voices, than was imagined could ever be done.

There were other very severe proceedings at this time with relation to particular persons. Pilkinton was sheriff of London the former year; an honest but an indiscreet man, that gave himself great liberties in discourse. He being desired to go along with the mayor and aldermen, to compliment the duke upon his return from Scotland, declined going, and reflected on him as one concerned in the burning of the city. Two aldermen said they heard that, and swore it against him. Sir Patience Ward, the mayor of the former year, seeing him go into that discourse, had diverted him from it, but heard not the words which the others swore to: and he deposed, that to the best of his remembrance he said not those words. Pilkinton was cast in 100,000*l.* damages, the most excessive that had ever been given. But the matter did not stop there: Ward was indicted of perjury; it being said, that since he swore that the words were not spoken, and that the jury had given a verdict upon the evidence that they were spoken, by consequence he was guilty of perjury. It was said on the other side, that when two swear one way, and a third swears another way, a jury may believe the two better than the one: but it is not certain from thence that he is perjured: if that were law, no man would be a witness; if, because they of the other side were believed, he should be therefore convicted of perjury. A man's swearing to a negative, that such words were not

* Sir Edmund Saunders had a powerful mind, which no difficulties could subdue; a buoyancy that would rise superior to all obstacles. Without known parents or relatives, he was a mere beggar boy, who frequented Clement's Inn, and "courted the attorney's clerks for scraps." They noticed his good-humoured gaiety, and one of them attending to his desire to learn to write, soon made him master of that acquirement. He had now the instrument of success in his power; he borrowed books, and devoted all his leisure to their perusal. An attorney fixed a desk for him at the top of a staircase, and employed him as a copier. By degrees he rose from being an attorney, to be as able a barrister. His practice was equal to the best in the King's Bench; "his art and cunning were equal to his knowledge; and he carried many a cause by laying snares." His person was so uncouth that it is described as "a mere lump of morbid flesh;" morbid, because his intemperance produced a state of body that could only be kept free from fatal attacks by means of continued discharges. He smelt so offensively that persons were obliged to protect their noses when near him. He often observed that "none could say he wanted issue, for he had no less than nine in his back." He was much employed by the court party, indeed he was the government *devil*, that is the counsellor who settles its pleadings. His promotion and death are mentioned in the text. His "Reports" are among the best authorities the lawyer can consult.—(North's Life of L. K. Guildford.) Sir William Dolben was made recorder of London when sir John Howel retired. He was raised to a judgeship of the King's Bench in 1678, but removed, as stated by Burnet, because he would not decide as the king wished. At the revolution in 1688 he was restored. He died in 1693.—Wood's Athenæ; Woolrych's Jeffreys, &c.

spoken, did only amount to this, that he did not hear them: and it would be hard to prove, that he who swore so, had heard them. But Ward proved, by him that took the trial in short hand, as he had done some others with great approbation, that he had said, "To the best of his remembrance these words were not spoken by Pilkinton:" upon which Jeffreys had said, that his invention was better than his memory: and the attorney-general in summing up the evidence to the jury had said, they ought to have no regard to Ward's evidence, since he had only deposed upon his memory. Yet that jury returned Ward guilty of perjury: and it was intended, if he had not gone out of the way, to have set him in the pillory. The truth is, juries became at that time the shame of the nation, as well as a reproach to religion: for they were packed, and prepared to bring in verdicts as they were directed, and not as matters appeared on the evidence.

Thus affairs were going on, all the year eighty-two, and to the beginning of eighty-three. The earl of Shaftesbury had been for making use of the heat the city was in, during the contest about the sheriffs; and thought they might have created a great disturbance, and made themselves masters of the Tower: and he believed, the first appearance of the least disorder would have prevailed on the king to yield every thing. The duke of Monmouth, who understood what a rabble was and what troops were, looked on this as a mad exposing of themselves and of their friends. The lords Essex and Russel were of the same mind. So lord Shaftesbury, seeing they could not be engaged into action, flew out against them. He said, the duke of Monmouth was sent into the party by the king for this end, to keep all things quiet till the court had gained its point: he said, lord Essex had also made his bargain, and was to go to Ireland; and that among them lord Russel was deceived. With this he endeavoured to blast them in the city: they studied to prevent the ill effects, that those jealousies which he was infusing into the citizens, might have among them. So the duke of Monmouth gave an appointment to lord Shaftesbury, or some of his friends, to meet him, and some others that he should bring along with him, at Shepherd's, a wine merchant in whom they had an entire confidence. The night before this appointment lord Russel came to town, on the account of his uncle's illness. The duke of Monmouth went to him, and told him of the appointment, and desired he would go thither with him: he consented, the rather because he intended to taste some of that merchant's wine. At night they went with lord Grey and sir Thomas Armstrong. When they came, they found none there but Rumsey and Ferguson, two of lord Shaftesbury's tools that he employed: upon which, they seeing no better company, resolved immediately to go back: but lord Russel called for a taste of the wines; and while they were bringing it up, Rumsey and Armstrong fell into a discourse of surprising the guards. Rumsey fancied it might have been easily done: Armstrong, that had commanded them, shewed him his mistakes. This was no consultation about what was to be done, but only about what might have been done. Lord Russel spoke nothing upon the subject; but as soon as he had tasted his wines they went away. It may seem, that this is too light a passage to be told so copiously; but much depends on it. Lord Shaftesbury had one meeting with the earls of Essex and Salisbury before he went out of England. Fear, anger, and disappointment, had wrought so much on him, that lord Essex told me he was much broken in his thoughts: his notions were wild and impracticable; and he was glad that he was gone out of England: but said, that he had done them already a great deal of mischief, and would have done more if he had stayed. As soon as he was gone, the lords and all the chief men of the party saw their danger from forward sheriffs, willing juries, mercenary judges, and bold witnesses: so they resolved to go home, and be silent, to speak and to meddle as little as might be in public business, and to let the present ill temper the nation was fallen into wear out: for they did not doubt but the court, especially as it was now managed by the duke, would soon bring the nation again into its wits by their ill conduct and proceedings. All that was to be done was, to keep up as much as they could a good spirit with relation to elections of parliament, if one should be called.

The duke of Monmouth resolved to be advised chiefly by lord Essex. He would not be alone in that, but named lord Russel, against whom no objection could lie: and next to him he named Algernon Sidney, brother to the earl of Leicester, a man of most extraordinary courage, a steady man, even to obstinacy; sincere, but of a rough and boisterous temper

that could not bear contradiction. He seemed to be a Christian, but in a particular form of his own: he thought, it was to be like a divine philosophy in the mind: but he was against all public worship, and every thing that looked like a church. He was stiff to all republican principles; and such an enemy to every thing that looked like monarchy, that he set himself in a high opposition against Cromwell when he was made protector. He had studied the history of government in all its branches beyond any man I ever knew. He was ambassador in Denmark at the time of the restoration, but did not come back till the year seventy-eight, when the parliament was pressing the king into a war. The court of France obtained leave for him to return. He did all he could to divert people from that war, so that some took him for a pensioner of France; but to those to whom he durst speak freely, he said, he knew it was all a juggle; that our court was in an entire confidence with France, and had no other design in this shew of a war but to raise an army, and keep it beyond sea till it was trained and modelled. Sidney had a particular way of insinuating himself into people that would hearken to his notions, and not contradict him *. He tried me, but I was not so submissive a hearer; so we lived afterwards at a great distance. He wrought himself into lord Essex's confidence to such a degree, that he became the master of his spirit. He had a great kindness for lord Howard, as was formerly told; for that lord hated both the king and monarchy as much as he himself did. He prevailed on lord Essex to take lord Howard into their secrets, though lord Essex had expressed such an ill opinion of him a little before to me, as to say he wondered how any man would trust himself alone with him. Lord Russel, though his cousin german, had the same ill opinion of him: yet Sidney overcame both their aversions. Lord Howard had made the duke of Monmouth enter into confidence with Sidney, who used to speak very slightly of him, and to say, it was all one to him whether James duke of York, or James duke of Monmouth was to succeed. Yet lord Howard perhaps put a notion into him, which he offered often to me, that a prince who knew there was a flaw in his title would always govern well, and consider himself as at the mercy of the right heir, if he was not in all things in the interests and hearts of his people, which was often neglected by princes that relied on an undoubted title. Lord Howard, by a trick put both on the duke of Monmouth and Sidney, brought them to be acquainted. He told Sidney that the duke of Monmouth was resolved to come some day alone and dine with him: and he made the duke of Monmouth believe that Sidney desired this, that so he might not seem to come and court the duke of Monmouth: and said that some regard was to be had to his temper and age. Hampden was also taken into their secret; he was the grandson of him that had pleaded the cause of England, in the point of the ship-money, with king Charles the First. His father was a very eminent man, and had been zealous in the exclusion: he was a young man of great parts; one of the most learned gentlemen I have ever known; for he was a critic both in Latin, Greek, and Hebrew: he was a man of great heat and vivacity, but too unequal in his temper: he had once great principles of religion: but he was much corrupted by P. Simon's conversation at Paris.

With these men the duke of Monmouth met often. His interest in Scotland, both by

* Algernon Sidney is an instance, among many others of this period, of a man being raised to celebrity by his sufferings; and immortalized by the firmness with which he endured them All authorities represent him as unamiable. According to sir William Temple's opinion, Sidney must have had an extraordinary opinion of his own character. There is this passage in his work upon government, "If there be any such thing as divine right, it must be where one man is better qualified to govern another than he is to govern himself: such a person seems by God and Nature designed to govern the other for his benefit and happiness." Sir W. Temple told the earl of Dartmouth, that he knew Sidney well, and was sure that he looked upon himself as the man qualified to govern others. —Oxford ed. of this work. The leading feature of his political life is the implacable hatred he entertained towards a monarchy. He served as a colonel in the parliamentarian army, and was nominated one of Charles the First's judges, but did not sign the death warrant. He justly thought that "Protector was only king written large," therefore as strenuously opposed Oliver and Richard Cromwell as he had their predecessor. In 1659 he was one of the commissioners delegated to mediate between Denmark and Sweden. He remained an exile until 1677, and then returned upon a conditional pardon. The text has told how closely knit he was to the friends of public liberty. His "Discourses upon Government" are well written. He was born about 1620, consequently was fifty-three when he suffered.—Biog. Britannica. When he was at the court of Denmark, he wrote this sentence in its book of mottoes; it was doubtless a true utterance of his heart—

Manus hæc inimica tyrannis,
Ense petit placidam sub libertate quietem.

—Molesworth's Account of Denmark.

the dependence that his wife's great estate brought him, but chiefly by the knowledge he had of their affairs while he was among them, and by the confidence he knew they had all in him, made him turn his thoughts much towards that kingdom, as the properest scene of action. He had met often with lord Argyle while he was in London, and had many conferences with him of the state of that kingdom, and of what might be done there: and he thought the business of Carolina was a very proper blind to bring up some of the Scotch gentlemen, under the appearance of treating about that. They upon this agreed to send one Aaron Smith to Scotland, to desire that some men of absolute confidence might be sent up for that end. So when the proclamation, that was formerly mentioned, was published, it spread such an universal apprehension through all the suspected counties, that they looked on themselves as marked out to destruction: and it is very natural for people under such impressions, to set themselves to look out for remedies as soon as they can.

In the beginning of April some of them came up. The person that was most entirely trusted, and to whom the journey proved fatal, was Baillie, of whose unjust treatment upon Carstairs's information an account was formerly given. He was my cousin german; so I knew him well. He was in the presbyterian principles, but was a man of great piety and virtue, learned in the law, in mathematics, and in languages: I went to him as soon as I heard he was come, in great simplicity of heart, thinking of nothing but of Carolina. I was only afraid they might go too much into the company of the English, and give true representations of the state of affairs in Scotland: this might be reported about by men that would name them; and that might bring them into trouble. But a few weeks after I found they came not to me as they were wont to do; and I heard they were often with lord Russel. I was apprehensive of this; and lord Essex being in the country, I went to him to warn him of the danger, I feared lord Russel might be brought into, by this conversation with my countrymen. He diverted me from all my apprehensions; and told me, I might depend on it, lord Russel would be in nothing without acquainting him: and he seemed to agree entirely with me, that a rising, in the state in which things were then, would be fatal. I always said, that when the root of the constitution was struck at to be overturned, then I thought subjects might defend themselves: but I thought jealousies and fears, and particular acts of injustice, could not warrant this. He did agree with me in this: he thought, the obligation between prince and subject was so equally mutual, that upon a breach on the one side the other was free: but though he thought the late injustice in London, and the end that was driven at by it, did set them at liberty to look to themselves, yet he confessed things were not ripe enough yet, and that an ill laid, and an ill managed rising would be our ruin. I was then newly come from writing my history of the reformation; and did so evidently see, that the struggle for lady Jane Grey, and Wyat's rising, was that which threw the nation so quickly into popery after king Edward's days, (for such as had rendered themselves obnoxious in those matters saw no other way to secure themselves, and found their turning was a sure one,) that I was now very apprehensive of this; besides that I thought it was yet unlawful. What passed between the Scots and the English lords I know not; only that lord Argyle, who was then in Holland, asked at first 20,000*l.* for buying a stock of arms and ammunition, which he afterwards brought down to 8,000*l.*, and a thousand horse to be sent into Scotland: upon which he undertook the conduct of that matter. I know no further than general hints of their matters: for though Hampden offered frequently to give me a particular account of it all, knowing that I was writing the history of that time, yet I told him, that till by an indemnity that whole matter was buried, I would know none of those secrets, which I might be obliged to reveal, or to lie and deny my knowledge of them: so to avoid that I put it off at that time. And when I returned to England at the revolution, we appointed often to meet, in order to a full relation of it all. But by several accidents it went off, as a thing is apt to do which one can recover at any time. And so his unhappy end came on before I had it from him. I know this, that no money was raised: but the thing had got some vent; for my own brother, a zealous presbyterian, who was come from Scotland, it not being safe for him to live any longer in that kingdom, knowing that he had conversed with many that had been in the rebellion, told me, there was certainly somewhat in agitation among them, about which some of their teachers had let out somewhat

very freely to himself: how far that matter went, and how the scheme was laid, I cannot tell; and so must leave it in the dark. Their contract for the project of Carolina seemed to go on apace: they had sent some thither the former year, who were now come back, and brought them a particular account of every thing: they likewise, to cover their negotiations with lord Argyle, sent some over to him; but with the blind of instructions for buying ships in Holland, and other things necessary for their transportation.

While this matter was thus in a close management among them, there was another company of lord Shaftesbury's creatures, that met in the Temple in the chambers of one West, a witty and active man, full of talk, and believed to be a determined atheist. Rumsey and Ferguson came constantly thither. The former of these was an officer in Cromwell's army, who went into Portugal with the forces that served there under Schomberg. He did a brave action in that service: and Schomberg wrote a particular letter to the king setting it out: upon which he got a place; and he had applied himself to lord Shaftesbury as his patron. He was much trusted by him, and sent often about on messages. Once or twice he came to lord Russel, but it was upon indifferent things. Lord Russel said to me, that at that very time he felt such a secret aversion to him, that he was in no danger of trusting him much. He was one of the bold talkers, and kept chiefly among lord Shaftesbury's creatures. He was upon all the secret of his going beyond sea, which seemed to shew that he was not then a spy of the court's, which some suspected he was all along. Ferguson was a hot and a bold man, whose spirit was naturally turned to plotting: he was always unquiet, and setting people on to some mischief: I knew a private thing of him, by which it appeared he was a profligate knave, and could cheat those that trusted him entirely: so though he, being a Scotchman, took all the ways he could to be admitted into some acquaintance with me, I would never see him, or speak with him: and I did not know his face till the revolution: he was cast out by the presbyterians, and then went among the independents, where his boldness raised him to some figure, though he was at bottom a very empty man: he had the management of a secret press, and of a purse that maintained it: and he gave about most of the pamphlets written of that side; and with some he passed for the author of them: and such was his vanity, because this made him more considerable, that he was not ill pleased to have that believed; though it only exposed him so much the more *. With these, Goodenough, who had been under-sheriff of London in Bethel's year, and one Halloway, of Bristol, met often, and had a great deal of rambling discourse, to shew how easy a thing it was on the sudden to raise four thousand men in the city. Goodenough, by reason of his office, knew the city well, and pretended he knew many men of so much credit in every corner of it, and on whom they might depend, as could raise that number, which he reckoned would quickly grow much stronger: and it is probable, this was the scheme with which lord Shaftesbury was so possessed, that he thought it might be depended on. They had many discourses of the heads of a declaration proper for such a rising, and disputed of these with much subtilty as they thought: and they intended to send Halloway to Bristol, to try what could be done there at the same time. But all this was only talk, and went no further than to a few of their own confidents. Rumsey, Ferguson, and West were often talking of the danger of executing this, and that the shorter and surer way was to kill the two brothers †. One Rumbold, who had served in Cromwell's army, came twice among them; and while they were in that wicked discourse, which they expressed by the term lopping. He upon that told them, he had a farm near Hodsden, in the way to Newmarket; and there was a moat cast round his house, through which the king sometimes passed in his way thither. He said, once the coach went through quite alone, without any of the guards about it; and that, if he had laid any thing across the way to have stopped the coach but a minute, he could have shot them both, and have rode away through grounds, that he knew so well, that it would not have been possible to have followed him. Upon which they ran into much wicked talk about the way of executing that. But nothing was ever fixed on: all was but talk. At one time lord Howard was among them: and they talked over their several schemes of lopping. One of them was to be executed in the Play-house. Lord Howard said, he liked

* More concerning these scoundrels may be seen in Wood's Athenæ Oxon. Echard, Dalrymple, Calamy, &c.

† The king and the duke of York.

that best, for then they would die in their calling. This was so like his way of talk, that it was easily believed, though he always denied it. Walcot, an Irish gentleman that had been of Cromwell's army, was now in London, and got into that company: and he was made believe, that the thing was so well laid, that many both in city and country were engaged in it. He liked the project of a rising, but declared he would not meddle in their lopping. So this wicked knot of men continued their caballings, from the time that the earl of Shaftesbury went away: and these were the subjects of their discourses. The king went constantly to Newmarket for about a month, both in April and October. In April, while he was there, the fire broke out, and burned part of the town: upon which the king came back a week sooner than he intended.

While all these things were thus going on, there was one Keeling, an anabaptist in London, who was sinking in his business, and began to think that of a witness would be the better trade. Goodenough had employed him often to try their strength in the city, and to count on whom they could depend for a sudden rising: he had also talked to him of the design of killing the two brothers: so he went and discovered all he could to Leg, at that time made lord Dartmouth. Leg made no great account of it, but sent him to Jenkins. Jenkins took his depositions, but told him he could not proceed in it without more witnesses; so he went to his brother, who was a man of heat in his way, but of probity; who did not incline to ill designs, and less to discover them. Keeling carried his brother to Goodenough, and assured him he might be depended on. So Goodenough run out into a rambling discourse of what they both could and would do: and he also spoke of killing the king and the duke, which would make their work easy. When they left him, the discoverer pressed his brother to go along with him to Westminster, where he pretended business, but stopped at Whitehall. The other was uneasy, longing to get out of his company, to go to some friends for advice upon what had happened. But he drew him on: and at last, he not knowing whither he was going, he drew him into Jenkins's office; and there told the secretary he had brought another witness, who had heard the substance of the plot from Goodenough's own mouth just then. His brother was deeply struck with this cheat and surprise, but could not avoid the making oath to Jenkins of all he had heard. The secretary, whose phlegmatic head was not turned for such a work, let them both go, and sent out no warrants till he had communicated the matter to the rest of the ministry, the king being then at Windsor. So Keeling, who had been thus drawn into the snare by his brother, sent advertisements to Goodenough, and all the other persons whom he had named, to go out of the way.

Rumsey and West were at this time perpetually together; and apprehending that they had trusted themselves to too many persons, who might discover them, they laid a story, in which they resolved to agree so well together, that they should not contradict one another. They framed their story thus: that they had laid the design of their rising to be executed on the seventeenth of November, the day of queen Elizabeth's coming to the crown, on which the citizens used to run together, and carry about popes in procession, and burn them: so that day seemed proper to cover their running together, till they met in a body. Others, they said, thought it best to do nothing on that day, the rout being usually at night, but to lay their rising for the next Sunday at the hour of people's being at church. This was laid to shew how near the matter was to the being executed. But the part of their story that was the best laid, (for this looked ridiculous, since they could not name any one person of any condition that was to head this rising,) was, that they pretended that Rumbold had offered them his house in the Heath for executing the design. It was called Rye; and from thence it was called the *Rye Plot*. He asked forty men, well armed and mounted, whom Rumsey and Walcot were to command in two parties: the one was to engage the guards, if they should be near the coach; and the other was to stop the coach, and to murder the king and the duke. Rumsey took the wicked part on himself, saying, that Walcot had made a scruple of killing the king, but none of engaging the guards: so Rumsey was to do the execution. And they said, they were divided in their minds what to do next: some were for defending the moat till night, and then to have gone off: others were for riding through grounds in a shorter way towards the Thames. Of these forty they could name but eight. But it was pretended that Walcot, Goodenough, and Rumbold had undertaken to

find both the rest of the men and the horses; for, though upon such an occasion men would have taken care to have had sure and well tried horses, this also was said to be trusted to others. As for arms, West had bought some, as on a commission for a plantation: and these were said to be some of the arms with which they were to be furnished; though when they were seen they seemed very improper for such a service. I saw all West's narrative, which was put in lord Rochester's hands: and a friend of mine borrowed it of him, and lent it me. They were so wise at court, that they would not suffer it to be printed; for then it would have appeared too gross to be believed.

But the part of it all that seemed the most amazing was, that it was to have been executed on the day in which the king had intended to return from Newmarket; but the happy fire that sent him away a week sooner had quite defeated the whole plot, while it was within a week of its execution, and neither horses, men, nor arms yet provided. This seemed to be so eminent a providence, that the whole nation was struck with it: and both preachers and poets had a noble subject to enlarge on, and to shew how much the king and the duke were under the watchful care of Providence.

Within three days after Keeling's discovery the plot broke out, and became the whole discourse of the town. Many examinations were taken, and several persons were clapped up upon it. Among these Wildman was one, who had been an agitator in Cromwell's army, and had opposed his protectorship. After the restoration, he being looked on as a high republican, was kept long in prison; where he had studied law and physic so much, that he passed as a man very knowing in those matters. He had a way of creating in others a great opinion of his sagacity, and had great credit with the duke of Buckingham, and was now very active under Sidney's conduct. He was seized on, and his house was searched: in his cellars there happened to be two small field-pieces that belonged to the duke of Buckingham, and that lay in York-house when that was sold, and was to be pulled down: Wildman carried those two pieces, which were finely wrought, but of little use, into his cellars, where they were laid on ordinary wooden carriages, and no way fitted for any service: yet these were carried to Whitehall, and exposed to view, as an undeniable proof of a rebellion designed, since here was their cannon.

Several persons came to me from court, assuring me that there was full proof made of a plot. Lord Howard coming soon after them to see me, talked of the whole matter in his spiteful way with so much scorn, that I really thought he knew of nothing, and by consequence I believed there was no truth in all these discoveries. He said, the court knew they were sure of juries, and they would furnish themselves quickly with witnesses: and he spoke of the duke as of one that would be worse, not only than queen Mary, but than Nero: and with eyes and hands lifted to Heaven, he vowed to me, that he knew of no plot, and that he believed nothing of it.

Two days after, a proclamation came out for seizing on some who could not be found: and among these Rumsey and West were named. The next day West delivered himself: and Rumsey came in a day after him. These two brought out their story, which, how incredible soever it was, passed so for certain, that any man that seemed to doubt it was concluded to be in it. That of defending themselves within mud walls and a moat, looked like the invention of a lawyer, who could not lay a military contrivance with any sort of probability. Nor did it appear where the forty horse were to be lodged, and how they were to be brought together. All these were thought objections that could be made by none but those who either were of it, or wished well to it. These new witnesses had also heard of the conferences that the duke of Monmouth and the other lords had with those who were come from Scotland, but knew nothing of it themselves. Rumsey did likewise remember the discourse at Shepherd's.

When the council found the duke of Monmouth and lord Russel were named, they wrote to the king to come to London: they would not venture to go further without his presence and leave. A messenger of the council was sent the morning before the king came, to wait at lord Russel's gate, to have stopped him if he had offered to go out. This was observed; for he walked many hours there; and it was looked on as done on purpose to frighten him

away; for his back gate was not watched; so for several hours he might have gone away if he had intended it. He heard that Rumsey had named him; but he knew he had not trusted him, and he never reflected on the discourse at Shepherd's. He sent his wife among his friends for advice. They were of different minds; but since he said he apprehended nothing, from any thing he had said to Rumsey, they thought his going out of the way would give the court too great an advantage, and would look like a confessing of guilt. So this agreeing with his own mind, he stayed at home till the king was come: and then a messenger was sent to carry him before the council. He received it very composedly, and went thither. Rumsey had also said, that at Shepherd's there was some discourse of Trenchard's undertaking to raise a body out of Taunton, and of his failing in it: so lord Russel was examined upon that, the king telling him, that nobody suspected him of any design against his person, but that he had good evidence of his being in designs against his government. Lord Russel protested, he had heard nothing relating to Trenchard: and said to the last, that either it was a fiction of Rumsey's, or it had passed between him and Armstrong, while he was walking about the room, or tasting the wines at Shepherd's; for he had not heard a word of it. Upon all this he was sent a close prisoner to the Tower.

Sidney was brought next before the council, but his examination lasted not long. He said, he must make the best defence he could, if they had any proof against him; but he would not fortify their evidence by any thing he should say: and, indeed, that was the wisest course, for the answering questions upon such examinations is a very dangerous thing: every word that is said is laid hold on, that can be turned against a man's self or his friends, and no regard is had to what he might say in favour of them; and it had been happy for the rest, especially for Baillie, if they had all held to this maxim. There was at that time no sort of evidence against Sidney, so that his commitment was against law. Trenchard was also examined; he denied every thing. But one point of his guilt was well known: he was the first man that had moved the exclusion in the house of commons; so he was reckoned a lost man.

Baillie and two other gentlemen of Scotland, both Campbells, had changed their lodgings while the town was in this fermentation: and upon that they were seized on as suspected persons, and brought before the king. He himself examined them, and first questioned them about the design against his person, which they very frankly answered, and denied they knew any thing about it. Then he asked them, if they had been in any consultations with lords or others in England, in order to an insurrection in Scotland. Baillie faultered at this; for his conscience restrained him from lying. He said, he did not know the importance of those questions, nor what use might be made of his answers: He desired to see them in writing, and then he would consider how to answer them. Both the king and the duke threatened him upon this: and he seemed to neglect that with so much of the air of a philosopher, that it provoked them out of measure against him. The other two were so lately come from Scotland, that they had seen nobody, and knew nothing. Baillie was loaded by a special direction with very heavy irons; so that for some weeks his life was a burden to him. Cochran, another of those who had been concerned in this treaty, was complained of, as having talked very freely of the duke's government of Scotland. Upon which the Scotch secretary sent a note to him, desiring him to come to him; for it was intended only to have given him a reprimand, and to have ordered him to go to Scotland. But he knew his own secret: so he left his lodgings, and got beyond sea. This shewed the court had not yet got full evidence; otherwise he would have been taken up, as well as others were.

As soon as the council rose, the king went to the duchess of Monmouth's, and seemed so much concerned for the duke of Monmouth, that he wept as he spoke to her. That duke told a strange passage relating to that visit, to the lord Cutts, from whom I had it. The king told his lady, that some were to come and search her lodgings; but he had given orders that no search should be made in her apartments: so she might conceal him safely in them. But the duke of Monmouth added, that he knew him too well to trust him: so he went out of his lodgings. And it seems he judged right; for the place that was first searched for him, was her rooms; but he was gone: and he gave that for the reason why he could never

trust the king after that. It is not likely the king meant to proceed to extremities with him, but that he intended to have him in his own hands, and in his power *.

An order was sent to bring up the lord Grey, which met him coming up. He was brought before the council, where he behaved himself with great presence of mind. He was sent to the Tower; but the gates were shut: so he stayed in the messenger's hands all night, whom he furnished so liberally with wine, that he was dead drunk. Next morning he went with him to the Tower gate, the messenger being again fast asleep. He himself called at the Tower gate, to bring the lieutenant of the Tower to receive a prisoner. But he began to think he might be in danger: he found Rumsey was one witness, and if another should come in he was gone: so he called for a pair of oars, and went away, leaving the drunken messenger fast asleep. Warrants were sent for several other persons; some went out of the way, and others were dismissed after some months' imprisonment. The king shewed some appearance of sincerity in examining the witnesses: he told them, he would not have a growing evidence; and so he charged them to tell out at once all that they knew: he led them into no accusations by asking them any questions: he only asked them if Oates was in their secret? They answered, that they all looked on him as such a rogue, that they would not trust him. The king also said, he found lord Howard was not among them, and he believed that was upon the same account. There were many more persons named, and more particulars set down in West's narrative, than the court thought fit to make use of: for they had no appearance of truth in them.

Lord Russel, from the time of his imprisonment, looked upon himself as a dead man, and turned his thoughts wholly to another world. He read much in the scriptures, particularly in the Psalms, and read "Baxter's Dying Thoughts." He was as serene and calm as if he had been in no danger at all. A committee of council came to examine him upon the design of seizing on the guards, and about his treating with the Scots. He answered them civilly; and said, that he was now preparing for his trial, where he did not doubt but he should answer every thing that could be objected to him. From him they went to Sidney, who treated them more roughly: he said, it seemed they wanted evidence, and therefore they were come to draw it from his own mouth; but they should have nothing from him. Upon this examination of lord Russel, in which his treating with the Scots was so positively charged on him, as a thing of which they were well assured, his lady desired me to see who this could be that had so charged him; but this appeared to be only an artifice to draw a confession from him. Cochran was gone; and Baillie was a close prisoner, and was very ill used: none were admitted to him. I sent to the keeper of the prison to let him want for nothing, and that I should see him paid. I also at his desire sent him books for his entertainment, for which I was threatened with a prison. I said, I was his nearest kinsman in the place, and this was only to do as I would be done by. From what I found among the Scots, I quieted the fears of lord Russel's friends.

Lord Howard was still going about, and protesting to every person he saw that there was no plot, and that he knew of none: yet he seemed to be under a consternation all the while. Lord Russel told me, he was with him when the news was brought that West had delivered himself, upon which he saw him change colour: and he asked him, if he apprehended any thing from him? He confessed, he had been as free with him as with any man. Hampden saw him afterwards under great fears: and upon that he wished him to go out of the way, if he thought there was matter against him, and if he had not a strength of mind to suffer any thing that might happen to him. The king spoke of him with such contempt, that it was not probable that he was all this while in correspondence with the court.

At last, four days before lord Russel's trial, he was taken in his own house after a long search; and was found standing up within a chimney. As soon as he was taken he fell a crying; and at his first examination he told, as he said, all that he knew. West and Rumsey had resolved only to charge some of the lower sort, but had not laid every thing so well together, but that they were found contradicting one another. So Rumsey charged West for concealing some things: upon which he was laid in irons, and was threatened with

* The earl of Dartmouth, on the authority of Mr. Francis Gwin, secretary at war in queen Anne's time, says that the duchess of Monmouth declared that the whole story told by Burnet is false.—Oxford edition of this work.

being hanged: for three days he would eat nothing, and seemed resolved to starve himself, but nature overcame his resolutions; and then he told all he knew, and perhaps more than he knew; for I believe it was at this time that he wrote his narrative. And in that he told a new story of lord Howard, which was not very credible, that he thought the best way of killing the king and the duke, was for the duke of Monmouth to fall into Newmarket with a body of three or four hundred horse when they were all asleep, and so to take them all: as if it had been an easy matter to get such a body together, and to carry them thither invisibly upon so desperate a service. Upon lord Howard's examination, he told a long story of lord Shaftesbury's design of raising the city: he affirmed, that the duke of Monmouth had told him, how Trenchard had undertaken to bring a body of men from Taunton, but had failed in it: he confirmed that of a rising intended in the city on the seventeenth or the nineteenth of November last; but he knew of nobody that was to be at the head of it. So this was looked on as only talk. But that which came more home was, that he owned there was a council of six settled, of which he himself was one; and that they had several debates among them concerning an insurrection, and where it should begin, whether in the city or in the country; but that they resolved to be first well informed concerning the state Scotland was in; and that Sidney had sent Aaron Smith to Scotland, to bring him a sure information from thence, and that he gave him sixty guineas for his journey: more of that matter he did not know; for he had gone out of town to the Bath, and to his estate in the country. During his absence the lords began to apprehend their error in trusting him: and upon it lord Essex said to lord Russel, as the last told me in prison, that the putting themselves in the power of such a man would be their reproach, as well as their ruin, for trusting a man of so ill a character: so they resolved to talk no more to him: but at his next coming to town they told him, they saw it was necessary at present to give over all consultations, and to be quiet: and after that they saw him very little. Hampden was upon lord Howard's discovery seized on: he, when examined, desired not to be pressed with questions; so he was sent to the Tower.

A party of horse was sent to bring up lord Essex, who had stayed all this while at his house in the country; and seemed so little apprehensive of danger, that his own lady did not imagine he had any concern on his mind. He was offered to be conveyed away very safely, but he would not stir. His tenderness for lord Russel was the cause of this; for he thought his going out of the way might incline the jury to believe the evidence the more for his absconding. He seemed resolved, as soon as he saw how that went, to take care of himself. When the party came to bring him up, he was at first in some disorder, yet he recovered himself; but when he came before the council, he was in much confusion. He was sent to the Tower; and there he fell under a great depression of spirit: he could not sleep at all. He had fallen before that twice under great fits of the spleen, which returned now upon him with more violence. He sent by a servant, whom he had long trusted, and who was suffered to come to him, a very melancholy message to his wife; that what he was charged with was true: he was sorry he had ruined her and her children; but he had sent for the earl of Clarendon, to talk freely to him, who had married his sister. She immediately sent back the servant, to beg of him that he would not think of her or her children, but only study to support his own spirits; and desired him to say nothing to lord Clarendon, nor to any body else, till she should come to him, which she was in hope to obtain leave to do in a day or two. Lord Clarendon came to him upon his message; but he turned the matter so well to him, as if he had been only to explain somewhat, that he had mistaken himself in, when he was before the council: but as to that for which he was clapped up, he said there was nothing in it, and it would appear how innocent he was. So lord Clarendon went away in a great measure satisfied, as he himself told me. His lady had another message from him, that he was much calmer; especially when he found how she took his condition to heart, without seeming concerned for her own share in it. He ordered many things to be sent to him; and among other things he called at several times for a penknife, with which he used to pare his nails very nicely: so this was thought intended for an amusement: but it was not brought from his house in the country, though sent for. And when it did not come, he called for a razor, and said, that would do as well. The king and the duke came to the

Tower that morning, as was given out, to see some invention about the ordnance. As they were going into their barge, the cry came after them of what had happened to lord Essex; for his man, thinking he staid longer than ordinary in his closet, said, he looked through the key-hole, and there saw him lying dead: upon which the door being broken open, he was found dead; his throat cut, so that both the jugulars and the gullet were cut, a little above the aspera arteria. I shall afterwards give an account of the further inquiry into this matter, which passed then universally as done by himself. The coroner's jury found it self-murder. And when his body was brought home to his own house, and the wound was examined by his own surgeon, he said to me; it was impossible the wound could be as it was, if given by any hand but his own: for, except he had cast his head back, and stretched up his neck all he could, the aspera arteria must have been cut. But to go on with this tragical day, in which I lost the two best friends I had in the world:

The lord Russel's trial was fixed for that day. A jury was returned that consisted of citizens of London who were not freeholders. So the first point argued in law was, whether this could be a legal jury. The statute was express: and the reason was, that none but men of certain estates might try a man upon his life. It was answered, that the practice of the city was to the contrary, upon the very reason of the law: for the richest men of the city were often no freeholders, but merchants whose wealth lay in their trade and stock. So this was overruled, and the jury was sworn. They were picked out with great care, being men of fair reputation in other respects, but so engaged in the party for the court, that they were easy to believe any thing on that side. Rumsey, Shepherd, and lord Howard were the witnesses, who deposed according to what was formerly related. Shepherd swore lord Russel was twice at his house, though he was never there but once. And when lord Russel sent him word after his sentence, that he forgave him all he had sworn against him, but that he must remember that he was never within his doors but one single time: to which all the answer Shepherd made was, that all the while he was in court during the trial, he was under such a confusion, that he scarce knew what he said. Both Rumsey and he swore, that lord Russel had expressed his consent to the seizing on the guards, though they did not swear any one word that he spoke which imported it: so that here a man was convicted of treason, for being present by accident, or for some innocent purpose, where treasonable matter was discoursed, without bearing a part in that discourse, or giving any assent by words or otherwise to what was so discoursed; which at the most amounts to misprision, or concealment, of treason only. As lord Howard began his evidence, the news of the earl of Essex's death came to the court. Upon which lord Howard stopped, and said, he could not go on till he gave vent to his grief in some tears. He soon recovered himself, and told all his story. Lord Russel defended himself by many compurgators, who spoke very fully of his great worth, and that it was not likely he would engage in ill designs. Some others besides myself testified, how solemnly lord Howard had denied his knowledge of any plot, upon its first breaking out. Finch, the solicitor-general, said, no regard was to be had to that, for all witnesses denied at first. It was answered, if these denials had been only to a magistrate, or at an examination, it might be thought of less moment; but such solemn denials, with asseverations, to friends, and officiously offered, shewed that such a witness was so bad a man, that no credit was due to his testimony. It was also urged that it was not sworn by any of the witnesses, that lord Russel had spoken any such words, or words to that effect: and without some such indication, it could not be known that he hearkened to the discourse, or consented to it. Lord Russel also asked, upon what statute he was tried: if upon the old statute of the twenty-fifth of Edward the Third, or if upon the statute made declaring what shall be held treason during the king's reign? They could not rely on the last, because of the limitation of time in it: six months, and something more, were passed since the time of these discourses; so they relied on the old statute. Upon which he asked, where was the overt act? For none appeared. It was also said, that by that statute the very imagining the king's death, when proved by an overt act, was treason: but it was only the levying war, and not the imagining to levy war against the king, that was treason by that statute. Cook and Hale were of this opinion, and gave their reasons for it. And it seemed, that the parliament that passed the act of treason during the present reign were of that mind; for they

enumerated consultations to raise war among those things which were declared to be treason during that reign: this shewed that they did not look on them as comprehended within the old statute. The king's counsel pretended, that consultations to seize on the guards were an overt act of a design against the king's person. But those forces that have got the designation of guards appropriated to them, are not the king's guards in law: they are not so much as allowed of by law: for even the lately dissolved long parliament, that was so careful of the king, and so kind to him, would never take notice of the king's forces, much less call them his guards. The guards were only a company of men in the king's pay; so that a design to seize on them amounted to no more, than to a design to seize on a part of the king's army. But the word guards sounded so like a security to the king's person, that the design against them was constructed a design against his life: and yet none of the witnesses spoke of any design against the king's person. Lord Howard swore positively, that they had no such design. Yet the one was constructed to be the natural consequence of the other. So that after all the declaiming against a constructive treason in the case of lord Strafford, the court was always running into it, when they had a mind to destroy any that stood in their way. Lord Russel desired, that his counsel might be heard to this point of seizing the guards; but that was denied, unless he would confess the fact: and he would not do that, because, as the witnesses had sworn it, it was false. He once intended to have related the whole fact, just as it was; but his counsel advised him against it. Some of his friends were for it, who thought that it could amount to no more than a concealment and misprision of treason. Yet the counsel distinguished between a bare knowledge, and a concealing that, and a joining designedly in council with men that did design treason; for in that case, though a man should differ in opinion from a treasonable proposition, yet his mixing in council with such men will in law make him a traitor. Lord Russel spoke but little: yet in few words he touched on all the material points of law that had been suggested to him. Finch summed up the evidence against him; but in that, and in several other trials afterwards, he shewed more of a vicious eloquence, in turning matters with some subtlety against the prisoners, than of solid or sincere reasoning. Jefferies would shew his zeal, and speak after him; but it was only an insolent declamation, such as all his were, full of fury and indecent invectives. Pemberton was the head of the court, the other bench not being yet filled. He summed up the evidence at first very fairly; but in conclusion he told the jury, that a design to seize the guards was surely a design against the king's life. But though he struck upon this, which was the main point, yet it was thought that his stating the whole matter with so little eagerness against lord Russel, was that which lost him his place; for he was turned out soon after. Lord Russel's behaviour during the trial was decent and composed: so that he seemed very little concerned in the issue of the matter. He was a man of so much candour, that he spoke little as to the fact: for since he was advised not to tell the whole truth, he could not speak against that which he knew to be true, though in some particulars it had been carried beyond the truth. But he was not allowed to make the difference: so he left that wholly to the jury, who brought in their verdict against him, upon which he received sentence.

He then composed himself to die with great seriousness. He said he was sure the day of his trial was more uneasy to him than that of his execution would be. All possible methods were used to have saved his life. Money was offered to the lady Portsmouth, and to all that had credit, and that without measure. He was pressed to send petitions and submissions to the king, and to the duke; but he left it to his friends to consider how far these might go, and how they were to be worded. All he was brought to was to offer to live beyond sea in any place that the king should name, and never to meddle any more in English affairs. But all was in vain; both king and duke were fixed in their resolutions; but with this difference, as lord Rochester afterwards told me, that the duke suffered some, among whom he was one, to argue the point with him, but the king could not bear the discourse. Some have said, that the duke moved that he might be executed in Southampton-square, before his own house, but that the king rejected that as indecent. So Lincoln's-inn-fields was the place appointed for his execution. The last week of his life he was shut up all the mornings, as he himself desired; and about noon I came to him, and stayed with him till

night. All the while he expressed a very Christian temper, without sharpness or resentment, vanity or affectation. His whole behaviour looked like a triumph over death. Upon some occasions, as at table, or when his friends came to see him, he was decently cheerful. I was by him when the sheriffs came to show him the warrant for his execution. He read it with indifference; and when they were gone, he told me it was not decent to be merry with such a matter, otherwise he was near telling Rich (who, though he was now of the other side, yet had been a member of the house of commons, and had voted for the exclusion), that they should never sit together in that house any more to vote for the bill of exclusion. The day before his death he fell a bleeding at the nose; upon that he said to me pleasantly, "I shall not now let blood to divert this, that will be done to-morrow." At night it rained hard, and he said, such a rain to-morrow will spoil a great show, which was a dull thing on a rainy day. He said, the sins of his youth lay heavy upon his mind; but he hoped God had forgiven them, for he was sure he had forsaken them, and for many years he had walked before God with a sincere heart; if in his public actings he had committed errors, they were only the errors of his understanding, for he had no private ends, nor ill designs of his own in them. He was still of opinion that the king was limited by law, and that when he broke through those limits his subjects might defend themselves, and restrain him. He thought a violent death was a very desirable way of ending one's life; it was only the being exposed to be a little gazed at, and to suffer the pain of one minute, which, he was confident, was not equal to the pain of drawing a tooth. He said he felt none of those transports that some good people felt; but he had a full calm in his mind, no palpitation at heart, nor trembling at the thoughts of death. He was much concerned at the cloud that seemed to be now over his country; but he hoped his death should do more service than his life could have done.

This was the substance of the discourse between him and me. Tillotson was oft with him that last week. We thought the party had gone too quick in their consultations, and too far; and that resistance in the condition we were then in was not lawful. He said he had not leisure to enter into discourses of politics; but he thought a government limited by law was only a name, if the subjects might not maintain those limitations by force; otherwise all was at the discretion of the prince; that was contrary to all the notions he had lived in of our government. But he said there was nothing among them but the embryos of things that were never like to have any effect, and that were now quite dissolved. He thought it was necessary for him to leave a paper behind him at his death; and because he had not been accustomed to draw such papers, he desired me to give him a scheme of the heads fit to be spoken to, and of the order in which they should be laid, which I did. And he was three days employed for some time in the morning to write out his speech. He ordered four copies to be made of it, all which he signed; and gave the original with three of the copies to his lady, and kept the other to give to the sheriffs on the scaffold. He wrote it with great care; and the passages that were tender he wrote in papers apart, and showed them to his lady and to myself before he wrote them out fair. He was very easy when this was ended. He also wrote a letter to the king, in which he asked pardon for everything he had said, or done, contrary to his duty, protesting he was innocent as to all designs against his person or government, and that his heart was ever devoted to that which he thought was his true interest. He added, that though he thought he had met with hard measure, yet he forgave all concerned in it, from the highest to the lowest; and ended, hoping that his majesty's displeasure at him would cease with his own life, and that no part of it should fall on his wife and children. The day before his death he received the sacrament from Tillotson, with much devotion. And I preached two short sermons to him, which he heard with great affection. And we were shut up till towards the evening. Then he suffered his children that were very young, and some few of his friends, to take leave of him; in which he maintained his constancy of temper, though he was a very fond father. He also parted with his lady with a composed silence; and, as soon as she was gone, he said to me, "The bitterness of death is past;" for he loved and esteemed her beyond expression, as she well deserved it in all respects. She had the command of herself so much, that at parting she gave him no disturbance. He went into his chamber about midnight, and I

stayed all night in the outward room. He went not to bed till about two in the morning, and was fast asleep till four, when, according to his order, we called him. He was quickly dressed, but would lose no time in shaving; for he said he was not concerned in his good looks that day.

He was not ill pleased with the account he heard that morning of the manner of Walcot's death, who, together with one Hone and Rowse, had suffered the day before. These were condemned upon the evidence of the witnesses. Rumsey and West swore fully against Walcot; he had also written a letter to the secretary, offering to make discoveries, in which he said the plot was laid deep and wide. Walcot denied at his death the whole business of the Rye-plot, and of his undertaking to fight the guards while others should kill the king. He said West had often spoken of it to him in the phrase of lopping; and that he always said he would not meddle in it, and that he looked on it as an infamous thing, and as that which the duke of Monmouth would certainly revenge; though West assured him that duke had engaged under his hand to consent to it. This confession of Walcot's, as it showed himself very guilty, so it made West appear so black, that the court made no more use of him. Hone, a poor tradesman in London, who it seems had some heat but scarce any sense in him, was drawn in by Keeling, and Lee, another witness, who was also brought in by Keeling to a very wild thing of killing the king but sparing the duke, upon this conceit, that we would be in less danger in being under a professed papist than under the king. Hone had promised to serve in the execution of it, but neither knew when, where, nor how, it was to be done; so, though he seemed fitter for a Bedlam than a trial, yet he was tried the day before the lord Russel, and suffered with the others the day before him. He confessed his own guilt, but said these who witnessed against him had engaged him in that design, for which they now charged him; but he knew nothing of any other persons besides himself and the two witnesses. The third was one Rowse, who had belonged to Player, the chamberlain of London; against whom Lee and Keeling swore the same things. He was more affected with a sense of the heat and fury, with which he had been actuated, than the others were; but he denied that he was ever in any design against the king's life. He said the witnesses had let fall many wicked things of that matter in discourse with him, so that he was resolved to discover them, and was only waiting till he could find out the bottom of their designs; but that now they had prevented him. He vindicated all his acquaintance from being any way concerned in the matter, or from approving such designs. These men dying as they did was such a disgrace to the witnesses, that the court saw it was not fit to make any further use of them. Great use was made of the conjunction of these two plots, one for a rising, and another for an assassination. It was said, that the one was that which gave the heart and hope to the other black conspiracy, by which they were over all England blended together as a plot within a plot, which cast a great load on the whole party.

Lord Russel seemed to have some satisfaction to find that there was no truth in the whole contrivance of the Rye-plot, so that he hoped that infamy, which now blasted their party, would soon go off. He went into his chamber six or seven times in the morning and prayed by himself, and then came out to Tillotson and me. He drank a little tea and some sherry. He wound up his watch, and said, now he had done with time and was going to eternity. He asked what he should give the executioner; I told him ten guineas. He said, with a smile, it was a pretty thing to give a fee to have his head cut off. When the sheriffs called him about ten o'clock, lord Cavendish was waiting below to take leave of him. They embraced very tenderly. Lord Russel, after he had left him, upon a sudden thought came back to him, and pressed him earnestly to apply himself more to religion; and told him what great comfort and support he felt from it now in his extremity. Lord Cavendish had very generously offered to manage his escape, and to stay in prison for him while he should go away in his clothes; but he would not hearken to the motion. The duke of Monmouth had also sent me word to let him know, that if he thought it could do him any service, he would come in, and run fortunes with him. He answered, it would be of no advantage to him to have his friends die with him. Tillotson and I went in the coach with him to the place of execution. Some of the crowd that filled the streets wept, while others insulted; he was touched with a tenderness that the one gave him, but did not seem at all provoked by the

other. He was singing psalms a great part of the way, and said he hoped to sing better very soon. As he observed the great crowds of people all the way, he said to us, "I hope I shall quickly see a much better assembly." When he came to the scaffold he walked about it four or five times; then he turned to the sheriffs and delivered his paper. He protested he had always been far from any designs against the king's life or government. He prayed God would preserve both, and the protestant religion. He wished all protestants might love one another, and not make way for popery by their animosities.

The substance of the paper he gave them was, first a profession of his religion, and of his sincerity in it; that he was of the church of England; but wished all would unite together against the common enemy; that churchmen would be less severe, and dissenters less scrupulous. He owned he had a great zeal against popery, which he looked on as an idolatrous and bloody religion; but that though he was at all times ready to venture his life for his religion or his country, yet that would never have carried him to a black or wicked design. No man ever had the impudence to move to him anything with relation to the king's life; he prayed heartily for him, that in his person and government he might be happy, both in this world and in the next. He protested that in the prosecution of the popish plot he had gone on in the sincerity of his heart, and that he never knew of any practice with the witnesses. He owned he had been earnest in the matter of the exclusion, as the best way in his opinion to secure both the king's life and the protestant religion; and to that he imputed his present sufferings; but he forgave all concerned in them, and charged his friends to think of no revenges. He thought his sentence was hard; upon which he gave an account of all that had passed at Shepherd's. From the heats that appeared in choosing the sheriffs he concluded that this matter would end as it now did, and he was not much surprised to find it fall upon himself; he wished it might end in him; killing by forms of law was the worst sort of murder. He concluded with some very devout ejaculations. After he had delivered this paper he prayed by himself. Then Tillotson prayed with him. After that he prayed again by himself; and then undressed himself and laid his head on the block, without the least change of countenance, and it was cut off at two strokes*.

This was the end of that great and good man: on which I have enlarged perhaps too copiously; but the great esteem I had for him, and the share I had in this matter, will, I hope, excuse it. His speech was so soon printed, that it was selling about the streets an hour after his death; upon which the court was highly inflamed. So Tillotson and I were appointed to appear before the cabinet council. Tillotson had little to say, but only that lord Russel had showed him his speech the day before he suffered; and that he spoke to him, what he thought was incumbent on him, upon some parts of it, but he was not disposed to alter it. I was longer before them. I saw they apprehended I had penned the speech. I told the king that at his lady's desire I wrote down a very particular journal of every passage, great and small, that had happened during my attendance on him; I had just ended it, as I received my summons to attend his majesty; so, if he commanded me, I would read it to him; which upon his command I did. I saw they were all astonished at the many extraordinary things in it: the most important of them are set down in the former relation. The lord-keeper asked me if I intended to print that. I said it was only intended

* The outlines of the life and character of lord Russel have been given in a previous page, and but few remarks need be made upon his trial and execution. The struggle was now wearing a sterner and more determined aspect, that was to decide whether the king or the people were to be the chief sources of political power—every meeting of parliament had warned the former, if he resolved to persevere in aiming at despotism, it must be obtained by pursuing a bloody path. It was determined to proceed—and sheriffs were culled, juries packed, and unprincipled judges raised to the bench, to aid the butchery of the free-spirited—by disguising murder with a legal habit. It mattered little that the evidence against lord Russel was deficient of that required by the statute to convict of treason—if it had been still more imperfect it would have ended in the same tragedy—his conviction was resolved before he was brought to the bar. This he himself had foreseen—he knew that he was marked as the supporter of popular freedom, and that he was to be slaughtered as a terror to his party. This was confessed by the duke of York, when the earl of Dartmouth warned him that the taking of Russel's life would never be forgiven by a numerous and great family, who, on the other hand, would be bound to him, if the delinquent was pardoned; and that some regard was due to lord Southampton's daughter and her children. The duke replied, "All that is true; but it is as true, that if I do not take his life he will soon have mine."—(Dalrymple's Memoirs, Append. ii. 59.) If the duke had not resolved to be a tyrant, he need not have feared lord Russel.

for his lady's private use*. The Lord-keeper, seeing the king silent, added, "You are not to think the king is pleased with this, because he says nothing." This was very mean. He then asked me if I had not omitted to dissuade the lord Russel from putting many things in his speech. I told I had discharged my conscience to him very freely in every particular; but he was now gone, so it was impossible to know, if I should tell anything of what had passed between us, whether it was true or false: I desired therefore to be excused. The duke asked me if he had said anything to me in confession. I answered, that if he had said anything to me in confidence, that was enough to restrain me from speaking of it. Only I offered to take my oath, that the speech was penned by himself, and not by me. The duke, upon all that passed in this examination, expressed himself so highly offended at me, that it was concluded I would be ruined. Lord Halifax sent me word, that the duke looked on my reading the journal as a studied thing, to make a panegyric on lord Russel's memory. Many pamphlets were written on that occasion; and I was heavily charged in them all, as the adviser, if not the author, of the speech. But I was advised by all my friends to write no answer, but to bear the malice that was vented upon me with silence; which I resolved to do.

At this time, prince George of Denmark came into England to marry the duke's second daughter. The prince of Hanover had come over two years before to make addresses to her; but he was scarcely got hither, when he received orders from his father not to proceed in that design; for he had agreed a match for him with his brother, the duke of Zell, for his daughter, which did at that time more accommodate the family. The marriage that was now made with the brother of Denmark did not at all please the nation; for we knew that the proposition came from France. So it was apprehended, that both courts reckoned they were sure that he would change his religion; in which we have seen, since that time, that our fears were ill grounded. He has lived in all respects the happiest with his princess that was possible, except in one particular; for though there was a child born every year for many years, yet they have all died; so that the most fruitful marriage that has been known in our age has been fatally blasted as to the effect of it.

The affairs abroad were now everywhere in a great fermentation. The emperor had governed Hungary so strangely, as at once to persecute the protestants and to oppress the papists in their liberties, which disposed both to rebel; upon which the malcontents were now in arms, and had possessed themselves of several places in the upper Hungary: which being near Poland, they were managed and assisted by the French ministers in that kingdom, in which the cardinal of Fourbin was the chief instrument. But they not being able to maintain themselves against the emperor's whole force, Tekeli, who was set at their head, offered all submissions to the Turk, and begged his protection. Upon this that great war

* Those who would convert us to the opinion that woman is man's intellectual inferior, must first make us forget that a lady Cooke, a countess of Derby, a lady Burkes, and lady Rachael Russel, lived as contemporaries—to say nothing of a galaxy that may be traced through every other period of our history, from Boadicea downwards. Education and the rules of society throw man more customarily forward in active life, but no one's experience, perhaps, can justify him in saying that he has oftener seen women fail in rising equal to the exertions required, than those whom they submit to as their superiors and love as their guardians. Lady Russel was one of those who never failed in the hour of extraordinary effort. She cheered her patriot husband during the confinement preceding his trial, and at that trying period she did not forsake him. When the court informed him he might have a clerk to take notes of the evidence, he must have felt strengthened, as he was enabled to reply, "My lords, my wife is here." She was there—and to her dying hour might feel consolation in reflecting that she thus aided him in his time of extremest need. It was not insensibility, it was not the love of display, that made her mute sad; but that firmness of mind, that forgetfulness of self, which enables those who cherish virtuous emotions to do their duty. No—Rachael Russel was not a maudlin sentimentalist, who could only weep for those she loved, but a true woman, who exerted herself as long as she could be useful in the cause of him whom she loved the most entirely in this world. Even in that time, when the sternest heart might be forgiven for failing—when the last embrace and the last look were to be exchanged—she did not add to her husband's agony by a fruitless outpouring of grief; she parted from him silently. But when all was over, then did she give vent to the natural sorrow of her heart, and her blindness was attributed to her almost incessant weeping. Reason, however, triumphed at last, and she lived to devote herself to her three children. "Her ladyship's letters, which have been published, are a compound of resigned piety, never-ceasing grief, strong sense, and true patriotism, with strict attention to all domestic duties. She lived to the age of eighty-seven, revered almost as a saint herself, and venerated as the relict of the martyr to liberty and the constitution." She was born in 1636, the second daughter of Wriothesley, earl of Southampton. Her first husband was lord Vaughan, son of the earl of Carberry. She died on the 29th of September, 1723.—Grainger.

broke out, all set on by the practices of the king of France; who, while he was persecuting the protestants in his own kingdom, was at the same time encouraging the rebellion of Hungary, and drawing the Turk into Christendom. I need not enlarge further on a matter so well known as the siege of Vienna; which, if it had been as well prosecuted as it was first undertaken, the town would have been certainly taken, and with that the emperor and his family ruined. The king of France drew a great army together near the frontier of Germany, and seemed to depend upon it that the town would be taken, and that he would be called in by the princes of Germany to protect them, and upon that have been chosen emperor. He at the same time sent Humieres with an army into Flanders, upon a pretension to Alost, that would have seemed very strange in any other court but that. He had once possessed himself, during the war, of Alost; but afterwards he drew his troops out of it. So it not being in his hands when the peace of Nimeguen was made, no mention was made of restoring it. But now it was said that, it being once in the king's hands by the right of his arms, it was still his, since he had not expressly renounced it; therefore he now demanded it, or to have Luxembourg given him as an equivalent for it. Humieres finding no resistance in the Spanish Netherlands, destroyed and ruined the country beyond anything it had felt during the whole war. This was the state of affairs abroad at the time of these trials.

All people thought we should see a parliament presently called, from which both the king and the duke might have expected everything that they could desire; for the body of the nation was yet so possessed with the belief of the plot, that probably all elections would have gone as the court directed, and scarcely any of the other party would have had the courage to have stood for an election any where. But the king of France began to apprehend that the king might grow so much the master at home, that he would be no longer in their management; and they foresaw that, what success soever the king might have in a parliament with relation to his own affairs, it was not to be imagined but that a house of commons, at the same time that they showed their submission to the king, would both enable him to resist the progress of the French arms, and address to him to enter into alliances with the Spaniards and the States. So the French made use of all their instruments to divert our court from calling a parliament, and they got the king to consent to their possessing themselves of Luxembourg; for which, I was told, they gave him 300,000*l.* But I have no certainty of that. Lord Montague told me of it, and seemed to believe it; and lady Portsmouth valued herself on this of Luxembourg as gained by her, and called it the last service she did the court of France*.

At this time I went over into France, chiefly to be out of the way, when I was fallen on almost in every libel; for new sets of addresses were now running about the nation, with more heat and swelled eloquence in them than the former ones: in all which the providential fire of Newmarket was set off with great pomp. And in many of them there were hard things said of lord Russel and his speech, with insinuations that looked towards me.

In France, Rouvigny, who was the lady Russel's uncle, studied to get me to be much visited and known. There my acquaintance with marshal Schomberg began; and by him I was acquainted with marshal Bellefonds, who was a devout man, but very weak. He read the Scriptures much, and seemed to practice the virtues of the desert in the midst of that court. I knew the archbishop of Rheims, who was a rough, boisterous man; he seemed to have good notions of the episcopal duty, in all things except that of the setting a good example to his clergy; for he allowed himself in liberties of all kinds. The duke of Montausier was a pattern of virtue and sincerity, if not too cynical in it. He was so far from flattering the king, as all the rest did most abjectly, that he could not hold from contradicting him, as often as there was occasion for it. And for that reason chiefly the king made him the dauphin's governor: to which, he told me, he had applied himself with great care, though, he very frankly added, without success. The exterior of the king was very solemn; the

* Barillon writing, December 1st, 1681, to Louis the Fourteenth, from whom he was ambassador to England, says, "After much bargaining, the king (Charles) has agreed to allow our seizure of Luxembourg, in consideration of our paying him a million livres," (not 30,000*l.*) —(Dalrymple's Memoirs, Append. 31.) According to this authority Barillon made the bargain with Charles in person. Barillon represents Montague in the blackest light as a traitor to his country.

first time I happened to see him was when the news came of the raising the siege of Vienna, with which, Schomberg told me, he was much struck, for he did not look for it. While I was at court, which was only for four or five days, one of the king's coaches was sent to wait on me, and the king ordered me to be well treated by all about him, which upon that was done, with a great profusion of extraordinary respects; at which all people stood amazed. Some thought it was to encourage the side against the court, by this treatment of one then in disgrace. Others more probably thought, that the king, hearing I was a writer of history, had a mind to engage me to write on his side. I was told a pension would be offered me. But I made no steps towards it; for though I was offered an audience of the king, I excused it, since I could not have the honour to be presented to that king by the minister of England *. I saw the prince of Condé but once, though he intended to see me oftener. He had a great quickness of apprehension, and was thought the best judge in France both of wit and learning. He had read my history of the Reformation, that was then translated into French, and seemed pleased with it. So were many of the great lawyers; in particular, Harlay, then attorney-general, and now first president of the court of parliament of Paris. The contests with Rome were then very high; for the assembly of the clergy had passed some articles very derogatory to the papal authority. So many fancied that matter might go to a rupture; and Harlay said very publicly that, if that should happen, I had laid before them a good plan to copy from.

Bellefonds had so good an opinion of me, that he thought instances of devotion might have some effect on me; so he made the duchess La Valiere think that she might be an instrument in converting me; and he brought a message from her, desiring me to come to the grate to her. I was twice there; and she told me the steps of her conversion, and of her coming into that strict order of the Carmelites, with great humility, and much devotion. Treville, one of the duchess of Orleans's admirers, was so struck with her death, that he had lived in retreat from that time, and was but newly come to appear again. He had great knowledge, with a true sense of religion; he seemed to groan under many of the corruptions of their church. He, and some others whom I knew of the Sorbon, chiefly Faur, Pique, and Brayer, seemed to think that almost everything among them was out of order, and wished for a regular reformation; but their notion of the unity of the church kept them still in a communion that they seemed uneasy in. And they said very freely, they wondered how any one, that was once out of their communion, should desire to come back into it. They were generally learned only in one point; Faur was the best read in ecclesiastical history of any man I saw among them; and I never knew any of that church that understood the Scriptures so well as Pique. They declared themselves for abolishing the papal authority, and for reducing the pope to the old primacy again. They spoke to me of the bishops of France, as men that were both vicious and ignorant; they seemed now to be against the pope; but it was only because he was in the interests of the house of Austria; for they would declare him infallible the next day after he should turn to the interest of France. So they expected no good, neither from the court nor from the clergy. I saw St. Amour, the author of the journal of what passed at Rome, in the condemnation of the five propositions of Jansenius. He seemed to be a sincere and worthy man, who had more judgment than either quickness or learning. He told me, his whole life had been one campaign against the Jesuits; and spoke of them as the great plague of the church. He lamented also that sharpness of style with which his friend Arnauld treated the protestants; for which, he said, both he and all his friends blamed him. I was carried by a bishop to the Jesuits at St. Anthony's. There I saw P. Bourdaloue, esteemed one of the greatest preachers of the age, and one of the honours of his order. He was a man of a sweet temper, not at all violent against protestants; on the contrary, he believed good men among them might be saved, which was a pitch of

* The reason for his being well received by the French monarch, whilst Mr. Montague was treated but coolly, was considered, by the earl of Dartmouth, to arise from our author having flattered Louis in his work, "The History of the Rights of Princes;" but lord Preston, our then ambassador at Paris, thought it proceeded from a belief that the doctor was influential with the discontented party in England; and Mr. Montague had required money, which was then not very abundant in the French coffers.—Dalrymple's Memoirs, Appendix, 80; Oxford ed. of this work.

charity that I had never observed in any of the learned of that communion. I was also once with P. de la Chaise, the king's confessor, who was a dry man. He told me how great a man they would make me, if I would come over to them.

This was my acquaintance on the popish side. I say little of the protestants. They came all to me; so I was well known among them. The method that carried over the men of the finest parts among them to popery was this: they brought themselves to doubt of the whole Christian religion; when that was once done, it seemed a more indifferent thing of what side, or form, they continued to be outwardly. The base practices of buying many over with pensions, and of driving others over with perpetual ill usage, and acts of the highest injustice and violence, and the vile artifices in bringing on and carrying so many processes against most of their churches, as not comprehended within the edict of Nantes, were a reproach both to the greatness of their king and to the justice of their courts. Many new edicts were coming out every day against them, which contradicted the edict of Nantes in the most express words possible; and yet to all these a strange clause was added, that the king did not intend by them to recal, nor to go against any article of the edict of Nantes, which he would maintain inviolable. I knew Spanheim particularly, who was envoy from the elector of Brandenburg, who is the greatest critic of the age in all ancient learning, and is with that a very able man in all affairs, and a frank, cheerful man: qualities that do not always meet in very learned men. After a few months' stay I returned, and found both the king and duke were highly offended at the reception I had met with in France. They did not know what to make of it, and fancied there was something hid under it.

The addresses had now gone round England. The grand juries made after that high presentments against all that were esteemed whigs and nonconformists. Great pains were taken to find out more witnesses. Pardons and rewards were offered very freely. But none came in; which made it evident, that nothing was so well laid, or brought so near execution, as the witnesses had deposed; otherwise people would have been crowding in for pardons. All people were apprehensive of very black designs, when they saw Jeffreys made lord chief justice, who was scandalously vicious, and was drunk every day; besides a drunkenness of fury in his temper, that looked like enthusiasm. He did not consider the decencies of his post; nor did he so much as affect to seem impartial, as became a judge, but ran out upon all occasions into declamations, that did not become the bar, much less the bench. He was not learned in his profession; and his eloquence, though viciously copious, yet was neither correct nor agreeable*. Pemberton was turned out of the common pleas, and Jones was put in his place; and Jeffreys had three judges joined with him in the king's bench fit to sit by him.

* George Jeffreys was a native of Acton, in Denbighshire; passing through various grades of his education at Shrewsbury, Westminster, and the Inner Temple. He was never regularly admitted to the degree of barrister; but being at Kingston whilst the assizes were proceeding, in the year 1666, the plague had so thinned the attendance of counsellors that he was persuaded to plead, and he continued to practice without interruption. He was soon after chosen recorder of London, then a Welch judge, and, in 1680, chief-justice of Chester. The following year he was made a baronet, and, in 1683, chief-justice of the king's bench, as mentioned in the text. The other passages of his life will be noticed in future pages. To animadvert upon the brutality of Jeffreys is superfluous—every historian confesses that a more cruel minister of justice never scourged a people. For proofs of his rabid fury, both as a counsel and as a judge, the pages of the State Trials may be referred to. Alluding to his conduct at the bar, Somers says, "The law intends that every man shall be exactly just in their several employments, relating to the execution of justice. The serjeant of the king's counsel, sir George Jeffreys, among the rest who prosecute in the king's name, and are consulted in the forming bills of indictment, &c. these, if they would remember it, take an oath 'as well and truly to serve the people,' whereof the accused is one, 'as the king himself; and to minister the king's matters duly and truly after the course of law, and their cunning:' not to use their cunning and craft to hide the truth and destroy the accused if they can."—The Security of Englishmen's Lives, p. 72.

Mr. Fox was wrong in remarking that Charles the Second appointed a fitting tool, when he raised Jeffreys to the chief-justiceship; for it is a matter of history, that Charles really objected to him: once saying of him, that "He had neither learning, law, nor good manners, but more impudence than ten carted whores." And the earl of Sunderland, writing to the earl of Rochester in March, 1683, says, "I spoke to the king of Jeffreys, but I found him very much unresolved, and full of objections against him, as that all the judges would be unsatisfied if he were so advanced, and that he had not law enough."—Singer's Clarendon Corr. i. 83.

Lord Delamere, who was tried and acquitted before Jeffreys, when chief-justice of Chester, on a charge of high treason, founded upon suspicion of his intending to raise a rebellion in that county in aid of Monmouth, said, "Our chief-justice, sir George Jeffreys, behaves himself more like a jack-pudding than a judge. He was mighty witty upon the prisoners at the bar; he was very full of his jokes upon people that came to give evidence, not suffering them to

The king sent a new message to the city of London, requiring the common council to deliver up their charter, threatening them, that otherwise he would order the judgment to be entered. Upon this a great debate arose among them. Some were for their compliance, that they might prevent the prejudice that would otherwise arise. On the other hand it was said, that all freemen took an oath to maintain the rights of their corporation; so that it was perjury in them to betray these. They said it was better to leave the matter to the king, than by any act of their own to deliver all up. So it was carried not to do it by a few voices. Upon that the judgment was entered; and the king seized on their liberties. Many of the aldermen and other officers were turned out, and others were put in their places. So they continued for some time a city without a charter, or a common council, and the king named the magistrates. New charters were sent to most of the corporations, in which the king reserved a power to himself, to turn out magistrates at his pleasure. This was done to make all sure for a new election of parliament, which came now under consideration.

There was a clause in the act that repealed the triennial bill, which had passed in the beginning of the troubles, whereby it was enacted that a parliament should meet every third year; but it had none of those enforcing clauses, in case it did not meet, that were in the other act; and the third year from the parliament of Oxford was now near an end. So, since the king had declared he would govern according to law, and in particular that he would have frequent parliaments, for which he had special thanks given him in many of the addresses, it was proposed that a parliament should be called. A war seemed likely to break out in Flanders, where the Spaniards, how ill soever they were prepared for it, had declared war, upon the French troops possessing themselves of Dixmuyd and Courtray. The prince of Orange was pressing the States to go into a new war, rather than let Luxemburg be taken. But this was much opposed by the town of Amsterdam. The calling a new parliament here, and England's engaging, as all believed they might do, would be an effectual restraint on the French. But the king had consented to let Luxemburg fall into their hands; so it was apprehended that the parliament might fall upon that, which was the only point that could occasion any difference between the king and them. It was also said, that it was fit all the charters should be first brought in, and all the corporations new modelled, before the parliament should be called. The prerogative lawyers pretended that the prerogative was indeed limited by negative and prohibiting words, but not by affirmative words. Lord Halifax told me he pressed this all he could; but there was a French interest working strongly against it: so the thoughts of a parliament at that time were laid aside. The Scotch prisoners were ordered to be sent down to be tried in Scotland. This was sad news to them; for the boots there are a severe torture. Baillie had reason to expect the worst usage: he was carried to Newgate in the morning that lord Russel was tried, to see if he could be persuaded to be a witness against him. Everything that could work on him was made use of, but all in vain: so they were resolved to use him severely.

I passed slightly over the suspicions that were raised upon lord Essex's death, when I mentioned that matter. This winter the business was brought to a trial. A boy and a girl did report that they heard great crying in his lodgings, and that they saw a bloody razor flung out at a window, which was taken up by a woman that came out of the house where he was lodged. These children reported this confidently that very day, when they went to their several homes: they were both about ten or twelve years old. The boy went backward and forward in his story, sometimes affirming it, and at other times denying it; but his father had an office in the custom house: so it was thought he prevailed with him to deny it in open court. But the girl stood firmly to her story. The simplicity of the children, together with the ill opinion that was generally had of the court, inclined many to

declare what they had to say in their own way and method." He then proceeds to animadvert upon his drunken habits and arbitrary conduct.—Lord Delamere's Works, 142. See also Reresby's Memoirs.

The earl of Dartmouth relates, that he has heard sir J. Jekyl, master of the rolls, say, that Jeffreys had a good knowledge of the law. The earl adds, "He had likewise great parts, and made a great chancellor in the business of that court. In mere private matters, he was thought an able and upright judge, wherever he sat; but when the crown, or his party, were concerned, he was generally as Burnet represents him."—Oxford ed. of this work.

A very interesting and temperate "Life of Lord Jeffreys" was published by Mr. Woolrych, in 1827.

believe this. As soon as his lady heard of it, she ordered a strict inquiry to be made about it; and sent what she found to me, to whom she had trusted all the messages, that had passed between her lord and her, while he was in the Tower. When I perused all, I thought there was not a colour to found any prosecution on; which she would have done with all possible zeal, if she had found any appearances of truth in the matter. Lord Essex had got into an odd set of extraordinary principles; and in particular he thought a man was the master of his own life; and seemed to approve of what his wife's great grandfather, the earl of Northumberland, did, who shot himself in the Tower after he was arraigned. He had also very black fits of the spleen. But at that time one Braddon, whom I had known for some years for an honest but enthusiastical man, hearing of these stories, resolved to carry the matter as far as it would go; and he had picked up a great variety of little circumstances, all which laid together seemed to him so convincing, that he thought he was bound to prosecute the matter. I desired him to come no more near me, since he was so positive. He talked of the matter so publicly, that he was taken up for spreading false news, to alienate people's hearts from the king. He was tried upon it. Both the children owned that they had reported the matter as he had talked it; the boy saying then that it was a lie. Braddon had desired the boy to set it all under his hand, though with that he charged him to write nothing but the truth. This was called a suborning; and he was fined for it in 2000*l*.* But I go next to a trial of more importance.

Howard was the only evidence against the prisoners of better rank; for they had no communication with the other witnesses. So other things were to be found out as supplements to support it. Sidney was next brought to his trial. A jury was returned, consisting for most part of very mean persons. Men's pulses were tried beforehand, to see how tractable they would be. One Parry, a violent man, guilty of several murders, was not only pardoned, but was now made a justice of peace, for his officious meddling and violence. He told one of the duke's servants, thinking that such a one was certainly of their party, that he had sent in a great many names of jurors, who were sure men. That person told me this himself. Sidney excepted to their not being freeholders. But Jeffreys said that had been overruled in lord Russel's case; and therefore he overruled it; and would not so much as suffer Sidney to read the statute. This was one of his bold strains. Lord Russel was tried at the Old Bailey, where the jury consisted of Londoners; and there indeed the contrary practice had prevailed upon the reason before mentioned; for the merchants are supposed to be rich. But this trial was in Middlesex, where the contrary practice had not prevailed; for in a county a man who is no freeholder is supposed to be poor. But Jeffreys said, on another occasion, why might not they make precedents to the succeeding times, as well as those who had gone before them had made precedents for them? The witnesses of the other parts of the plot were now brought out again to make a show; for they knew nothing of Sidney: only they said, that they had heard of a council of six, and that he was one of them. Yet even in that they contradicted one another: Rumsey swearing that he had it from West, and West swearing that he had it from him: which was not observed till the trial came out. If it had been observed sooner, perhaps Jeffreys would have ordered it to be struck out; as he did all that Sidney had objected upon the point of the jury, because they were not freeholders. Howard gave his evidence, with a preface that had become a pleader better than a witness. He observed the uniformity of truth, and that all the parts of his evidence and theirs met together as two tallies. After this a book was produced, which Sidney had been

* Braddon published a "Narrative," which is worth perusing; as also are the "Letters" and "Life" of the nobleman to which it relates, which are not at all rare books.

A very curious circumstance, mentioned by the editor of "Grey's Debates," seems to confirm the suspicion that the earl was murdered by his servant, instigated by the ruling powers. "Harry Guy was then secretary to the treasury, and a sure agent to the king or duke, if any dirty work was to be done. He paid and dispersed the secret-service money; of which payments he kept a regular account in a book which is still extant, and now is (1762), or lately was, in the possession of a gentleman at Chelsea, who made no scruple of showing it to particular persons. In this book appears a minute of 500*l*. paid to Bornini, the earl's valet, during his lord's confinement in the Tower. This Bornini was never heard of after the earl's death." Rapin sustains the suspicion of this murder by saying, "I am very certain the last earl of Essex (son of him who died in the Tower,) was of opinion his father was murdered, and have heard him say so; and that a French footman, who then served his father, was strongly suspected, and disappeared immediately after the fact."—Rapin's Hist. ii. 729; Grey's Debates, viii. 343.

writing, and which was found in his closet, in answer to Filmer's book entitled *Patriarcha;* by which Filmer asserted the divine right of monarchy, upon the eldest son's succeeding to the authority of the father. It was a book of some name, but so poorly written, that it was somewhat strange that Sidney bestowed so much pains in answering it. In this answer he had asserted, that princes had their power from the people with restrictions and limitations; and that they were liable to the justice of the people, if they abused their power to the prejudice of the subjects, and against established laws. This by an innuendo was said to be an evidence to prove that he was in a plot against the king's life. And it was insisted on, that this ought to stand as a second witness. The earls of Clare, Anglesey, and some others with myself, deposed what lord Howard had said, denying there was any plot. Blake, a draper, deposed, that having asked him when he was to have his pardon, he answered, not till the drudgery of swearing was over. Howard had also gone to Sidney's house, and had assured his servants that there was nothing against him, and had desired them to bring his goods to his own house. Sidney showed how improbable it was that Howard, who could not raise five men, and had not five shillings to pay them, should be taken into such consultations. As for the book, it was not proved to be written by him; for it was an adjudged case in capital matters, that a similitude of hands was not a legal proof, though it was in civil matters. That whatever was in those papers, they were his own private thoughts and speculations of government, never communicated to any. It was also evident that the book had been written some years ago; so that could not be pretended to be a proof of a late plot. The book was not finished, so it could not be known how it would end. A man writing against atheism, who sets out the strength of it, if he does not finish his answer, could not be concluded an atheist because there was such a chapter in his book. Jeffreys interrupted him often very rudely, probably to put him in a passion, to which he was subject; but he maintained his temper to admiration. Finch aggravated the matter of the book, as a proof of his intentions, pretending it was an overt-act; for he said, "*scribere est agere.*" Jeffreys delivered it as law, and said, that all the judges were of the same mind: that if there were two witnesses, the one to the treason, the other only to a circumstance, such as the buying a knife, these made the two witnesses, which the statute required in cases of treason. In conclusion Sidney was cast. And some days after he was brought to court to receive sentence. He then went over his objections to the evidence against him, in which judge Withins interrupted him, and by a strange indecency gave him the lie in open court; but he bore it patiently. He sent to lord Halifax, who was his nephew by marriage, a paper to be laid before the king, containing the main points of his defence; upon which he appealed to the king, and desired he would review the whole matter. Jeffreys upon that, in his furious way, said, either Sidney must die, or he must die. His execution was respited for three weeks, the trial being universally cried out on, as a piece of most enormous injustice. When he saw the warrant of his execution, he expressed no concern at it. And the change that was now in his temper, amazed all that went to him. He told the sheriffs that brought it, he would not expostulate upon anything on his own account; (for the world was now nothing to him;) but he desired they would consider how guilty they were of his blood, who had not returned a fair jury, but one packed, and as they were directed by the king's solicitor. He spoke this to them, not for his own sake, but for their sake. One of the sheriffs was struck with this, and wept. He told it to a person, from whom Tillotson had it, who told it to me. Sidney wrote a long vindication of himself (which I read), and summed up the substance of it in a paper that he gave the sheriffs; but, suspecting they might suppress it, he gave a copy of it to a friend. It was a fortnight before it was printed, though we had all the speeches of those who died for the popish plot printed the very next day. But when it was understood that written copies of Sidney's speech were going about, it was also printed. In it he showed his innocence; that lord Howard was an infamous person, and that no credit was due to him; yet he did not deny the matter he swore against him. As for his book, he showed what reason all princes had to abhor Filmer's maxims; for if primogeniture from Noah was the ground settled by God for monarchy, then all the princes now in the world were usurpers: none claiming by that pedigree, and this primogeniture being only in one person. He said, since God did not now by any declaration of his will, as of old by pro-

phets, mark out such or such persons for princes, they could have no title, but what was founded on law and compact; and this was that in which the difference lay between lawful princes and usurpers. If possession was a donation from God (which Filmer had substituted to the conceit of primogeniture), then every prosperous usurper had a good right. He concluded with a prayer, that the nation might be preserved from idolatry and tyranny. And he said, he rejoiced that he suffered for the old cause, in which he was so early engaged. These last words furnished much matter to the scribblers of that time. In his imprisonment he sent for some independent preachers, and expressed to them a deep remorse for his past sins, and great confidence in the mercies of God. And indeed he met death with an unconcernedness, that became one who had set up Marcus Brutus for his pattern. He was but a very few minutes on the scaffold at Tower Hill: he spoke little, and prayed very short; and his head was cut off at one blow*.

At this time an accident happened that surprised both the court and city, and which, if well managed, might probably have produced great effects. The duke of Monmouth had lurked in England all this summer, and was then designing to go beyond sea, and to engage in the Spanish service. The king still loved him passionately. Lord Halifax, seeing matters run so much further than he apprehended, thought that nothing could stop that so effectually, as the bringing the duke of Monmouth again into favour. That duke wrote to the king several letters, penned with an extraordinary force. Lord Halifax drew them all, as he himself told me, and showed me his own draughts of them. By these the king was mollified, and resolved to restore him again to his favour. It stuck much at the confession that he was to make. The king promised that no use should be made of it; but he stood on it, that he must tell him the whole truth of the matter. Upon which he consented to satisfy the king. But he would say nothing to the duke, more than to ask his pardon in a general compliment. Lord Halifax had pressed him earnestly upon his first appearance to be silent, and for a while to bear the censures of the town. The last day of the term was very near, in which all the prisoners were to be discharged according to the Habeas Corpus act. That would show he had discovered nothing to their prejudice. So that all discourses concerning his confession, and discoveries, would vanish in a few days. And if he had followed this, probably it would have given a great turn to affairs. The king spoke nothing of the reconciliation to the duke of York, till the day before it was to be done. He was much struck with it; but the king was positive. Yet the duke's creatures in the cabinet council moved, that for form's sake he should be for some days put in the Tower. The king cut that off by saying, he had promised to pardon him. The duke of Monmouth, as was agreed, made an humble confession of his offences in general words to the king; and made a compliment to the duke, and begged that he would intercede with the king to pardon him. The king received him with a fondness that confounded all the duke's party. He used him more tenderly than he had done formerly. The duke put on an outward appearance of being very well pleased with it. The king said next day, that "James (for so he called him) had confirmed all that Howard had sworn." This was carried to the duke of Monmouth, who denied he had ever said any such thing; adding, that lord Howard was a liar and a rogue. And this was set round the town by his creatures, who run with it from coffee-house to coffee-house. The next gazette mentioned that the king had pardoned him upon his confessing the late plot. Lord Halifax pressed the duke of Monmouth to pass that over, and to impute it to the importunity of his enemies, and to the king's easiness; but he could not prevail. Yet he said little till his pardon was past: but then he openly denied that he had confessed the plot. By that he engaged himself in a plain contradiction to what the king had said. Some were brought by the duke to the king, who confirmed they had heard the duke of Monmouth say, that he had not confessed the plot. Upon which the king ordered him to give a confession of it under his hand. Lord Halifax pressed him to write a letter to the king, acknowledging he had confessed the plot. Plot was a general word, that might signify as much, or little, as a man pleased. They had certainly dangerous consultations among them which might be well called plots. He said, the service he might do his friends by such a general letter, and by his gaining the king's heart upon it, would quickly balance the seeming

* The State Trials fully confirm Burnet's statements respecting this, and the other law-cloaked murders of this period.

prejudice that such a general acknowledgment would bring them under, which could do them no hurt. Upon that he got him to write a letter to that purpose, which he carried to the king. And the king was satisfied. But the duke of Monmouth, whether of himself, or upon the suggestion of others, reflected on what he had done, and thought it a base thing. Though this was no evidence, yet he thought it might have an influence on juries, to make them believe everything that might be sworn by other witnesses, when from his confession they were possessed with a general belief of the plot. So he went full of uneasiness to the king, and desired he might have his letter again, in the terms of an agony like despair. The king gave it back, but pressed him vehemently to comply with his desire; and among other things the duke of Monmouth said, that the king used this expression, "If you do not yield in this you will ruin me." Yet he was firm. So the king forbid him the court, and spoke of him more severely than he had ever done formerly. He was upon this more valued and trusted by his own party than ever. After some days he went beyond sea; and after a short concealment he appeared publicly in Holland, and was treated by the prince of Orange with a very particular respect.

The prince had come for a few days to England after the Oxford parliament, and had much private discourse with the king at Windsor. The king assured him that he would keep things quiet, and not give way to the duke's eagerness, as long as he lived; and added, he was confident, whenever the duke should come to reign, he would be so restless and violent, that he could not hold it four years to an end. This I had from the prince's own mouth*. Another passage was told me by the earl of Portland. The king showed the prince one of his seals, and told him, that whatever he might write to him, if the letter was not sealed with that seal, he was to look on it as only drawn from him by importunity. The reason for which I mention that in this place is, because, though the king wrote some terrible letters to the prince against the countenance he gave to the duke of Monmouth, yet they were not sealed with that seal; from which the prince inferred, that the king had a mind that he should keep him about him, and use him well. And the king gave orders, that in all the entries that were made in the council books of this whole business, nothing should be left on record that could blemish him.

Hampden was now the only man of the six that was left. Yet there was nothing but Howard's evidence against him, without so much as any circumstance to support it. So since two witnesses were necessary to treason, whereas one was enough for a misdemeanor, he was indicted of a misdemeanor, though the crime was either treason or nothing. Jeffreys, upon Howard's evidence, charged the jury to bring him in guilty; otherwise, he told them, they would discredit all that had been done before. So they brought him in guilty. And the court set 40,000*l.* fine on him, the most extravagant fine that had ever been set for a misdemeanor in that court. It amounted indeed to an imprisonment for life†.

Some time in the spring, eighty-four, Halloway was taken in the West Indies, and sent over. He was under an outlawry for treason. The attorney-general offered him a trial, if he desired it. But he was prevailed on, by the hope of a pardon, to submit and confess all he knew. He said, he was drawn into some meetings, in which they consulted how to raise an insurrection; and that he and two more had undertaken to manage a design for seizing on Bristol, with the help of some that were to come to them from Taunton; but, he added, that they had never made any progress in it. He said, at their meetings in London, Rumsey and West were often talking of lopping the king and the duke; but that he had never entered into any discourse with them upon that subject; and he did not believe that there were above five persons that approved of it. These were West, Rumsey, Rumbold, and his brother; the fifth person is not named in the printed relation. Some said it was Ferguson; others said it was Goodenough. Halloway was thought by the court not to be sincere in his confession. And so, since what he had acknowledged made himself very guilty, he was executed, and died with a firm constancy. He showed great presence of mind. He observed

* A statement by sir Richard Bulstrode, who had been the British resident at Brussels for some years, says, that Charles the Second, when in familiar conversation with him, said he admired the character of the Flemish people; "but," added the king, "I am weary of travelling; I am resolved to go abroad no more; but, when I am dead and gone, I know not what my brother will do. I am much afraid that when he comes to the crown he will be obliged to travel again."—Sir Richard Bulstrode's Memoirs, 424.

† See State Trials.

the partiality that was evident in managing this plot, different from what had appeared in managing the popish plot. The same men, who were called rogues when they swore against papists, were looked on as honest men, when they turned their evidence against protestants. In all his answers to the sheriffs, who, at the place of execution, troubled him with many impertinent questions, he answered them with so much life, and yet with so much temper, that it appeared he was no ordinary man. His speech was suppressed for some days, but it broke out at last. In it he expressed a deep sense of religion. His prayer was an excellent composure. The credit of the Rye-plot received a great blow by his confession. All that discourse about an insurrection, in which the day was said to be set, appeared now to be a fiction, since Bristol had been so little taken care of, that three persons had only undertaken to dispose people to that design, but had not yet let it out to any of them. So that it was plain that, after all the story they had made of the plot, it had gone no further than that a company of seditious and inconsiderable persons were framing among themselves some treasonable schemes that were never likely to come to anything; and that Rumsey and West had pushed on the execrable design of the assassination; in which, though there were few that agreed to it, yet too many had heard it from them, who were both so foolish and so wicked as not to discover them.

But if the court lost much by the death of Halloway, whom they had brought from the West Indies, they lost much more by their proceedings against sir Thomas Armstrong, who was surprised at Leyden, by virtue of a warrant, that Chudleigh, the king's envoy, had obtained from the States, for seizing on such as should fly out of England on the account of the plot. So the scout at Leyden, for 5,000 gilders, seized on him; and delivered him to Chudleigh, who sent him over in great haste. Armstrong in that confusion forgot to claim that he was a native of the States: for he was born at Nimeguen: and that would have obliged the Dutch to have protected him, as one of their natural born subjects. He was trusted in every thing by the duke of Monmouth: and he having led a very vicious life, the court hoped that he, not being able to bear the thoughts of dying, would discover every thing. He shewed such a dejection of mind, while he was concealing himself before he escaped out of England, that Hampden, who saw him at that time, told me, he believed he would certainly do any thing that would save his life. Yet all were disappointed in him; for when he was examined before the council, he said, he knew of no plot but the popish plot: he desired he might have a fair trial for his life; that was all he asked. He was loaded with irons; though that was not ordinary for a man who had served in such posts, as to be lieutenant of the first troop of guards, and gentleman of the horse to the king. There was nothing against him, but what Rumsey and Shepherd had sworn of the discourses at Shepherd's, for which lord Russel had suffered. But by this time the credit of the witnesses was so blasted, that it seems the court was afraid that juries would not now be so easy as they had been. The thing that Rumsey had sworn against him seemed not very credible; for he swore that at the first meeting, Armstrong undertook to go and view the guards, in order to the seizing them; and that upon a view he said at a second meeting, that the thing was very feasible. But Armstrong, who had commanded the guards so long, knew every thing that related to them so well, that without such a transient view, he could of the sudden have answered every thing relating to them. The court had a mind to proceed in a summary way with him, that he should by the hurry of it be driven to saying any thing that could save him. He was now in an outlawry; but though the statute was express, that if an outlawed person came in at any time within the year, he was to have a trial, notwithstanding his outlawry: it was pretended in answer to this, that he not coming in, but being taken, had not a right to the benefit of the statute. But there were several months of the year yet to run: and since a trial was a demand founded on natural justice, he insisted on it. And when he was brought to the king's bench bar, and asked what he had to say why sentence should not be executed, he claimed the benefit of the statute. He said, he had yet, when he was taken, several months to deliberate upon his coming in: and the seizing on him before his time was out, ought not to bar him a right that the law gave him. He also mentioned Halloway, to whom a trial was offered the former term: and, since it was a point of law, he desired counsel might be heard to argue it. Jeffreys rejected all this: he said, the king

might either offer a trial or not, as he saw cause; and he refused to hear counsel: which being demanded upon a point of law, the denying it was thought a very impudent piece of injustice. And when Armstrong insisted that he asked nothing but the law, Jeffreys in his brutal way said, he should have it to the full; and so ordered his execution within six days. And the law was executed on him with the utmost rigour; for he was carried to Tyburn on a sledge, and was quartered, and his quarters were set up. His carriage, during his imprisonment and at his death, was far beyond what could have been imagined. He turned himself wholly to the thoughts of God, and of another state; and was praying continually. He rejoiced that he was brought to die in such a manner. He said, it was scarcely possible for him to have been awakened into a due sense of his sins by any other method. His pride and his resentments were then so entirely conquered, that one who saw him said to me, that it was not easy to think it was the same person whom he had known formerly. He received the sacrament; and died in so good a temper, and with so much quiet in his mind, and so serene a deportment, that we have scarcely known in our time a more eminent instance of the grace and mercy of God. Armstrong in his last paper denied, that he ever knew of any design against the king's or the duke's life, or was in any plot against the government. There were no remarks published on his speech, which it was believed the court ordered; for they saw how much ground they had lost by this stretch of law, and how little they had gained by his death. One passage in it was the occasion of their ordering no such reflections to be made on it, as had been made on the other speeches. The king had published a story all about the court, and had told it to the foreign ministers, as the reason of this extreme severity against Armstrong: he said, that he was sent over by Cromwell to murder him beyond sea, and that he was warned of it, and challenged him on it; and that upon his confessing it, he had promised him never to speak of it any more, as long as he lived. So the king, counting him now dead in law, thought he was free from that promise. Armstrong took this heavily: and in one paper which I saw, written in his own hand, the resentments upon it were sharper than I thought became a dying penitent. So, when that was represented to him, he changed it: and in the paper he gave the sheriffs, he had softened it much. But yet he shewed the falsehood of that report; for he never went beyond sea but once, sent by the earl of Oxford, and some other cavaliers, with a considerable present to the king in money, which he delivered; and brought back letters of thanks from the king to those who made the present. But Cromwell having a hint of this clapped him up in prison, where he was kept almost a year: and upon the merit of that service, he was made a captain of horse soon after the restoration *. When Jeffreys came to the king at Windsor, soon after this trial, the king took a ring of good value from his finger, and gave it him for these services: the ring upon that was called his "blood stone." The king gave him one advice, which was somewhat extraordinary from a king to a judge; but it was not the less necessary to him. The king said, it was a hot summer, and he was going the circuit; he therefore desired he would not drink too much. With this I leave the affairs of England, to look towards Scotland.

Great pains were taken there to make a further discovery of the negotiation between the English and the Scots. A gentleman, who had been at Bothwell-bridge, was sent over by the Cargillites to some of their friends in Holland: and he carried with him some letters written in an odd cant. He was seized at Newcastle together with his letters; and was so frightened, that he was easily managed to pretend to discover any thing that was suggested to him: but he had never been at London, so he could speak of that negotiation but upon hearsay. His story was so ill laid together, that the court was ashamed to make any use of it: but it turned heavily on himself, for he went mad upon it. Two others came in, and charged sir Hugh Campbell, of Cesnock, an ancient gentleman of a good estate, that he had set on the rebellion of Bothwell-bridge, and had chid them for deserting it. Upon this he

* When sir Thomas Armstrong saw no reasoning was so strong, no law so explicit, but that in their despite his life was determined to be taken away, he denounced Jeffreys with the appalling words—"My blood be upon your head!" "Let it," said the hardened dictator of injustice, "I am clamour proof." After the revolution, an effort was made to obtain 5,000*l.* for the widow and children of sir Thomas, out of the estates of his persecutors; but the bill was lost, and some years elapsed before even his attainder was reversed.—Woolrych's Life of Jeffreys.

was brought to a trial. In Scotland the law allows of an exculpation, by which the prisoner is suffered, before his trial, to prove the thing to be impossible. This was prayed by that gentleman, who had full proofs of his being elsewhere, and at a great distance from the place, at that time. But that is a favour which the court may grant, or not: so that was denied him. The first witness that was examined at his trial began with a general story: and when he came to that, in which the prisoner was concerned, Campbell charged him to look him full in the face, and to consider well what he was to say of him; for he took God to witness, he never saw his face before, as far as he could remember. Upon that the witness was struck, and stopped; and said, he could say nothing of him. The earl of Perth was then justice-general, and offered to lead him into his story. But the jury stopped that; and said, that he upon his oath had declared he knew nothing of the prisoner, and that after that they could have no regard to any thing that he might say. Upon which some sharp words passed between lord Perth and them, in which he shewed how ready he was to sacrifice justice and innocent blood to his ambition. And that was yet grosser in this case, because his brother was promised that gentleman's estate, when it should be confiscated. The second witness said nothing, but seemed confounded: so Campbell was acquitted by the jury, but was still kept in prison. These witnesses were again examined before the council: and they adhered to their first deposition against the prisoner. The law in Scotland is very severe against false witnesses, and treats them as felons: but the government there would not discourage such practices; of which, when they should be more lucky, they intended to make good use. The circuits went round the country, as was directed by the proclamation of the former year. Those who were most guilty compounded the matter, and paid liberally to a creature of the lord chancellor's, that their names might be left out of the citations. Others took the test, and that freed them from all further trouble. They said openly, that it was against their conscience; but they saw they could not live in Scotland unless they took it. Others observed, that the severity which the presbyterians formerly had used, forcing all people to take their covenant, was now returned back on them in this test, that they were thus forced to take.

In the mean while a great breach was formed, and appeared on all occasions, between the earls of Aberdeen and Queensbury. The latter was very exact in his payments, both of the soldiers and of the pensions; so his party became the strongest. Lord Aberdeen's method was this: he wrote up letters to the duke of all affairs, and offered expedients, which he pretended were concerted at Edinburgh; and sent with them the draughts of such letters as he desired should be sent down from the king. But these expedients were not concerted, as he said; they were only his own conceits. Lord Queensbury, offended with this, let the duke understand how he had been deceived. So an order was sent down, that all expedients should be concerted by a junto, consisting of lord Queensbury's creatures. Lord Aberdeen saw that by this he came to signify little: and seeing he was losing ground at court, he intended to recover himself a little with the people. So he resolved for the future to keep to the law, and not to go beyond it. And such was the fury of that time, that this was called moderation and popularity. The churches were now all well kept by the men; but their wives not being named in the act of parliament, none of them went to church. The matter was laid before the council; and a debate arose upon it, whether man and wife making one person in law, husbands should not be fined for their wives' offence, as well as for their own. Lord Aberdeen stood upon this, that the act did not mention the wives: it did indeed make the husbands liable to a fine, if their wives went to conventicles; for they had it in their power to restrain them: and since the law provided in the one case, that the husband should suffer for his wife's fault, but had made no provision in the other case, as to their going to church, he thought the fining them on that account could not be legally done. Lord Queensbury was for every thing that would bring money into the treasury: so, since in those parts, the ladies had for many years withdrawn wholly from the churches, he reckoned the setting fines on their husbands to the rigour, would make all the estates of the country be at mercy; for the selling them outright would not have answered this demand, for the offences of so many years. The earl of Perth struck in with this, and seemed to set it up for a maxim, that the presbyterians could not be governed, but with the extremity of

rigour; and that they were irreconcilable enemies to the king and the duke, and that therefore they ought to be extirpated. The ministry in Scotland being thus divided, they referred the decision of the point to the king: and lord Perth came up to have his resolution upon it. The king determined against the ladies, which was thought very indecent; for in dubious cases the nobleness of a prince's temper should always turn him to the merciful side. This was the less expected from the king, who had all his life time expressed as great a neglect of women's consciences, as regard for their persons.

But to do him right, he was determined to it by the duke; who since the breaking out of the plot had got the whole management of affairs, English as well as Scotch, into his hands. Scotland was so entirely in his dependance, that the king would seldom ask what the papers imported, which the duke brought to be signed by him. In England, the application and dependance was visibly on the duke. The king had scarcely company about him to entertain him, when the duke's levees and couchees were so crowded, that the anti-chambers were full. The king walked about with a small train of the necessary attendants, when the duke had a vast following: which drew a lively reflection from Waller, the celebrated wit *. He said, the house of commons had resolved that the duke should not reign after the king's death: but the king in opposition to them was resolved he should reign even during his life. The breach grew to that height between lord Aberdeen and lord Queensbury, that both were called up to give an account of it. It ended in dismissing lord Aberdeen, and making lord Perth chancellor, to which he had been long aspiring in a most indecent manner. He saw into the duke's temper, that his spirit was turned to an unrelenting severity: for this had appeared very indecently in Scotland.

When any are to be struck in the boots, it is done in the presence of the council; and upon that occasion almost all offer to run away. The sight is so dreadful, that without an order restraining such a number to stay, the board would be forsaken. But the duke, while he had been in Scotland, was so far from withdrawing, that he looked on all the while with an unmoved indifference, and with an attention, as if he had been to look on some curious experiment. This gave a terrible idea of him to all that observed it, as of a man that had no bowels nor humanity in him. Lord Perth, observing this, resolved to let him see how well qualified he was to be an inquisitor-general. The rule about the boots in Scotland was, that upon one witness, and presumptions, both together, the question might be given; but it was never known to be twice given, or that any other species of torture, besides the boots, might be used at pleasure. In the court of inquisition they do upon suspicion, or if a man refuses to answer upon oath, as he is required, give him the torture; and repeat it, or vary it, as often as they think fit; and do not give over till they have got out of their mangled prisoners, all that they have a mind to know from them.

This lord Perth resolved to make his pattern, and was a little too early in letting the world see, what a government we were to expect, under the influence of a prince of that religion. So, upon his going to Scotland, one Spence, who was a servant of lord Argyle's, and was taken up at London, only upon suspicion, and sent down to Scotland, was required to take an oath, to answer all the questions that should be put to him. This was done in direct contradiction to an express law, against obliging men to swear, that they will answer *super inquirendis*. Spence likewise said, that he himself might be concerned in what he might know: and it was against a very universal law, that excused all men from swearing against themselves, to force him to take such an oath. So he was struck in the boots, and continued firm in his refusal. Then a new species of torture was invented: he was kept from sleep eight or nine nights. They grew weary of managing this. So a third species was invented: little screws of steel were made use of, that screwed the thumbs with so exquisite a torment, that he sunk under this; for lord Perth told him, they would screw every joint of his whole body, one after another, till he took the oath. Yet such was the firmness and fidelity of this poor man, that even in that extremity he capitulated, that no new questions should be put to him, but those already agreed on; and that he should not be obliged to be a witness against any person, and that he himself should be pardoned; so all he could tell them was,

* In his "Maid's Tragedy." See his works, edition 1698 and preface.

who were lord Argyle's correspondents. The chief of them was Holmes at London, to whom lord Argyle wrote in a cypher, that had a peculiar curiosity in it: a double key was necessary; the one was, to shew the way of placing the words or cypher, in an order very different from that in which they lay in the paper: the other was, the key of the cyphers themselves, which was found among Holmes's papers, when he absconded. Spence knew only the first of these: but he putting all in its true order, then by the other key they were deciphered. In these it appeared, what Argyle had demanded, and what he undertook to do upon the granting his demands: but none of his letters spoke any thing of any agreement then made *.

When the torture had this effect on Spence, they offered the same oath to Carstairs; and, upon his refusing to take it, they put his thumbs in the screws, and drew them so hard, that as they put him to extreme torture, so they could not unscrew them, till the smith that made them was brought with his tools to take them off. So he confessed all he knew, which amounted to little more than some discourses of taking off the duke; to which he said that he answered, his principles could not come up to that: yet in this he, who was a preacher among them, was highly to blame, for not revealing such black propositions; though it cannot be denied, but that it is a hard thing to discover any thing that is said in confidence: and therefore I saved myself out of those difficulties, by saying to all my friends, that I would not be involved in any such confidence; for as long as I thought our circumstances were such, that resistance was not lawful, I thought the concealing any design in order to it, was likewise unlawful: and by this means I had preserved myself. But Carstairs had at this time some secrets of great consequence from Holland, trusted to him by Fagel, of which they had no suspicion; and so they asked him no questions about them. Yet Fagel saw by that, as he himself told me, how faithful Carstairs was, since he could have saved himself from torture, and merited highly, if he had discovered them. And this was the foundation of his favour with the prince of Orange, and of the great confidence he put in him to his death †.

Upon what was thus screwed out of these two persons, the earl of Tarras, who had married the duchess of Monmouth's elder sister, and six or seven gentlemen of quality, were clapped up. The ministers of state were still most earnestly set on Baillie's destruction; though he was now in so languishing a state, occasioned chiefly by the bad usage he met with in prison, that if his death would have satisfied the malice of the court, that seemed to be very near: but they knew how acceptable a sacrifice his dying in a more violent way would prove. So they continued even in that extremity to use him barbarously. They were also trying what could be drawn from those gentlemen against him. Tarras had married his niece, who was his second wife. So they concluded that their confidence was entire. Baillie's illness increased daily; and his wife prayed for leave to attend on him; and, if they feared an escape, she was willing to be put in irons: but that was denied. Nor would they suffer his daughter, a child of twelve years old, to attend him, even when he was so low, that it was not probable he could live many weeks, his legs being much swelled. But upon these examinations a new method of proceeding against him was taken. An accusation was sent him, not in the form of an indictment, nor grounded on any law, but on a letter of the king's, in which he charged him not only for a conspiracy to raise rebellion, but for being engaged in the Rye-plot; of all which he was now required to purge himself by oath, otherwise the council would hold him guilty of it, and proceed accordingly. He was not, as they said, now in a criminal court upon his life, but before the council, who did only fine and imprison. It was to no purpose for him to say, that by no law, unless it was in a court of inquisition, a man could be required to swear against himself, the temptation to

* Lord Fountainhall in his "Diary," under the date August 22, 1684, says, "Mr. William Spence to avoid further torture, deciphered Argyle's letters, and agrees with Holmes's declaration, that Argyle and Loudon, Dalrymple of Stanis, sir John Cochrane and others, had formed a design to raise a rebellion in Scotland; and that there were three keys to the said letters, whereof Mrs. Carstairs had two, and Holmes a third, &c. Spence got the liberty of the castle, and was recommended for a remission." This work affords very valuable information relative to public affairs during the era of Burnet, and fully sustains his statements.

† This was Mr. William Carstairs, son of a presbyterian minister at Glasgow.—Fountainhall's Diary, and M'Cormick's "Life of Carstairs."

perjury being so strong, when self-preservation was in the case, that it seemed against all law and religion to lay such a snare in a man's way. But to answer all this, it was pretended he was not now on his life, and that whatsoever he confessed was not to be made use of against his life; as if the ruin of his family, which consisted of nine children, and perpetual imprisonment, were not more terrible, especially to one so near his end as he was, than death itself. But he had to do with inexorable men: so he was required to take this oath within two days. And by that time, he not being able to appear before the council, a committee of council was sent to tender him the oath, and to take his examination. He told them, he was not able to speak by reason of the low state of his health, which appeared very evidently to them: for he had almost died while they were with him. He in general protested his innocence, and his abhorrence of all designs against the king's or the duke's life: for the other interrogatories, he desired they might be left with him, and he would consider them. They persisted to require him to take his oath: but he as firmly refused it. So, upon their report, the council construed this refusal to be a confession, and fined him 6,000*l.*, and ordered him to lie still in prison till it was paid. After this it was thought that this matter was at an end, and that this was a final sentence: but he was still kept shut up, and denied all attendance or assistance. He seemed all the while so composed, and even so cheerful, that his behaviour looked like the reviving of the spirit of the noblest of the old Greeks or Romans, or rather of the primitive Christians, and first martyrs in those best days of the church. But the duke was not satisfied with all this. So the ministry applied their arts to Tarras, and the other prisoners, threatening them with all the extremities of misery, if they would not witness treasonable matter against Baillie. They also practised on their wives, and frightening them, set them on their husbands. In conclusion, they gained what had been so much laboured. Tarras, and one Murray, of Philipshaugh, did depose some discourses, that Baillie had with them before he went up to London, disposing them to a rebellion. In these they swelled up the matter beyond the truth. Yet all did not amount to a full proof. So the ministers, being afraid that a jury might not be so easy as they expected, ordered Carstairs's confession to be read in court, not as an evidence, (for that had been promised him should not be done,) but as that which would fully satisfy the jury, and dispose them to believe the witnesses. So Baillie was hurried on to a trial. And upon the evidence he was found guilty, and condemned to be executed that same day: so afraid they were lest death should be too quick for them. He was very little disturbed at all this: his languishing in so solitary a manner made death a very acceptable deliverance to him. He in his last speech shewed, that in several particulars the witnesses had wronged him: he still denied all knowledge of any design against the king's life, or the duke's; and denied any plot against the government: he thought it was lawful for subjects, being under such pressures, to try how they might be relieved from them: and their design never went further; but he would enter into no particulars. Thus a learned and a worthy gentleman, after twenty months' hard usage, was brought to such a death, in a way so full in all the steps of it of the spirit and practice of the courts of inquisition, that one is tempted to think, that the methods taken in it, were suggested by one well studied, if not practised in them. The only excuse that was ever pretended for this infamous prosecution was, that they were sure he was guilty; and that the whole secret of the negociation between the two kingdoms was trusted to him; and that, since he would not discover it, all methods might be taken to destroy him: not considering what a precedent they made on this occasion, by which, if men were once possessed of an ill opinion of a man, they were to spare neither artifice nor violence, but to hunt him down by any means. I have been perhaps too long in this particular, but the case was so singular, and my relation to the person was so near, and my value for him was so great, that I hope I need make no apology for it.

In this I saw how ambition could corrupt one of the best tempered men that I had ever known: I mean lord Perth, who for above ten years together seemed to me incapable of an immoral or cruel action, and yet was now deeply engaged in the foulest and blackest of crimes. I had not now seen him for two years; but I hoped, that still some good impressions had been left in him: and now, when he came to London to be made lord chancellor, I had a very earnest message from him, desiring by my means to see Leighton. I thought,

that angelical man might have awakened in him some of those good principles, which he seemed once to have had, and which were now totally extinguished in him. I wrote so earnestly to Leighton, that he came to London. Upon his coming to me, I was amazed to see him at above seventy look so fresh and well, that age seemed as it were to stand still with him: his hair was still black, and all his motions were lively: he had the same quickness of thought, and strength of memory; but above all, the same heat and life of devotion, that I had ever seen in him. When I took notice to him, upon my first seeing him, how well he looked, he told me, he was very near his end for all that; and his work and journey both were now almost done. This at that time made no great impression on me. He was the next day taken with an oppression, and as it seemed with a cold and with stitches, which was indeed a pleurisy.

The next day Leighton sunk so, that both speech and sense went away of a sudden: and he continued panting about twelve hours, and then died without pangs or convulsions. I was by him all the while. Thus I lost him, who had been for so many years the chief guide of my whole life. He had lived ten years in Sussex, in great privacy, dividing his time wholly between study and retirement, and the doing of good: for in the parish where he lived, and in the parishes round about, he was always employed in preaching, and in reading prayers. He distributed all he had in charities, choosing rather to have it go through other people's hands than his own: for I was his almoner in London. He had gathered a well chosen library of curious, as well as useful books; which he left to the diocess of Dunblane, for the use of the clergy there, that country being ill provided with books. He lamented oft to me the stupidity that he observed among the commons of England, who seemed to be much more insensible in the matters of religion, than the commons of Scotland were. He retained still a peculiar inclination to Scotland; and if he had seen any prospect of doing good there, he would have gone and lived and died among them. In the short time that the affairs of Scotland were in the duke of Monmouth's hands, that duke had been possessed with such an opinion of him, that he moved the king to write to him, to go, and at least live in Scotland, if he would not engage in a bishopric there. But that fell with that duke's credit. He was in his last years turned to a greater severity against popery than I had imagined a man of his temper, and of his largeness in point of opinion, was capable of. He spoke of the corruptions, of the secular spirit, and of the cruelty that appeared in that church, with an extraordinary concern; and lamented the shameful advances that we seemed to be making towards popery. He did this with a tenderness, and an edge, that I did not expect from so recluse and mortified a man. He looked on the state the church of England was in, with very melancholy reflections, and was very uneasy at an expression then much used, that it was the best constituted church in the world. He thought it was truly so, with relation to the doctrine, the worship, and the main part of our government. But as to the administration, both with relation to the ecclesiastical courts, and the pastoral care, he looked on it as one of the most corrupt he had ever seen. He thought we looked like a fair carcase of a body without a spirit; without that zeal, that strictness of life, and that laboriousness in the clergy, that became us.

There were two remarkable circumstances in his death. He used often to say, that if he were to choose a place to die in, it should be an inn; it looked like a pilgrim's going home, to whom this world was all as an inn, and who was weary of the noise and confusion in it. He added, that the officious tenderness and care of friends was an entanglement to a dying man; and that the unconcerned attendance of those that could be procured in such a place, would give less disturbance. And he obtained what he desired; for he died at the Bell inn, in Warwick-lane. Another circumstance was, that while he was bishop in Scotland, he took what his tenants were pleased to pay him: so that there was a great arrear due, which was raised slowly by one whom he left in trust with his affairs there: and the last payment that he could expect from thence was returned up to him about six weeks before his death: so that his provision and journey failed both at once. And thus in the several parts of this history, I have given a very particular account of every thing relating to this apostolical man; whose life I would have written, if I had not found proper places to bring the most

material parts of it within this work. I reckon that I owed this to that perfect friendship and fatherly care, with which he had always treated me.

The mentioning his death leads me to name some other clergymen of note, that died in this and in the former year. Burnet died in Scotland: and Ross, a poor, ignorant, worthless man, but in whom obedience and fury were so eminent, that these supplied all other defects, was raised to be the primate of that church: which was indeed a sad omen, as well as a step to its fall and ruin. Sterne, archbishop of York, died in the eighty-sixth year of his age: he was a sour, ill tempered man, and minded chiefly the enriching his family. He was suspected of popery, because he was more than ordinarily compliant in all things to the court, and was very zealous for the duke. Dolben, bishop of Rochester, succeeded him, a man of more spirit than discretion, and an excellent preacher, but of a free conversation, which laid him open to much censure in a vicious court. And indeed he proved a much better archbishop than he had been a bishop *. Gunning, of Ely, died this summer, a man of great reading: he had in him all the subtilty, and the disputing humour of a schoolman: and he studied to infuse that into all those who were formed by him. He was strict in the whole course of his life: but was a dry man, and much inclined to superstition. He had a great confusion of things in his head, and could bring nothing into method; so that he was a dark and perplexed preacher. His sermons were full of Greek and Hebrew, and of the opinions of the fathers. Yet many of the ladies of a high form loved to hear him preach; which the king used to say, was because they did not understand him. Turner succeeded him. He had been long in the duke's family, and was in high favour with him. He was a sincere and good-natured man, of too quick an imagination, and too defective a judgment. He was but moderately learned, having conversed more with men than with books: and so he was not able to do the duke great service. But he was so zealous for his succession, that this raised him high upon no great stock of sufficiency. Old Morley, bishop of Winchester, died this winter, in the eighty-seventh year of his age. He was in many respects a very eminent man, zealous against popery, and yet a great enemy to the dissenters; he was considerably learned, and had a great vivacity of thought: but he was too soon provoked, and too little master of himself upon those occasions. Mew, bishop of Bath and Wells, succeeded him: he had been a captain during the wars, and had been Middleton's secretary, when he was sent to command the insurrection, that the Highlanders of Scotland made for the king in fifty-three. After that he came into orders; and, though he knew very little of divinity, or of any other learning, and was weak to a childish degree, yet obsequiousness and zeal raised him through several steps to this great see. Ken succeeded him in Bath and Wells; a man of an ascetic course of life, and yet of a very lively temper, but too hot and sudden. He had a

* Dr. Richard Sterne was born at Mansfield, in Nottinghamshire, during the year 1596. He was of Trinity and Bennet colleges, Cambridge. He became chaplain to archbishop Laud, and master of Jesus College in 1633. Being very active in sending the plate of the university to Charles the First, to support him during the civil struggle, Cromwell seized and imprisoned him, and others, finally sending them on board ship, for the purpose, it is said, of selling them as slaves; but this is hardly credible. He kept a school until the Restoration, when he was restored to his mastership, and made bishop of Carlisle, and finally archbishop of York. He published several works; had a share in preparing the Polyglot Bible, and in revising the liturgy. A correspondent of the earl of Strafford describes him as "a solid scholar, who first summed up the 3600 faults that were in our printed bibles." He once had the reputation of being the author of the "Whole Duty of Man;" but this has now been ascribed with more certainty to lady Packington.—Strafford Papers; Le Neve's Bishops; Masters's Hist. of C. C. C. Cambridge.

Dr. John Dolben was a native of Stonwick, Northamptonshire, where he was born in 1625. His education was conducted at Westminster, and Christ-church, Oxford. During the civil contest he took arms in support of the royal cause, and was severely wounded at the battle of Marston Moor, and in the siege of York. When resistance became of no avail, he returned to college, but was ejected by the parliamentary visitors in 1648. At the Restoration he was made a canon of Christchurch; in 1666, bishop of Rochester; in 1675, lord high almoner; and in 1683, archbishop of Canterbury; but this last preferment he enjoyed only for a brief period. He was most culpably allowed to sleep at an inn in a bed not freed from the contagion of small-pox; with this disease he was infected, and died in 1686. All authorities unite in praising his eloquence, both as a preacher and debater; and Burnet is too cold in his praise, seeming as if resolved not to commend, yet without anything specific to blame. The high character given him by sir William Trumbull is in print, as is that by another of his friends, Dr. Sprat: the latter says of him, in his Life of Cowley, "in him we lost the greatest abilities, the most useful conversation, the most faithful friendship, and one who had a mind that practised the best virtues itself, and a wit that was best able to recommend them to others."—Kippis's Biog. Britannica, Grainger, &c.

very edifying way of preaching; but it was more apt to move the passions, than to instruct; so that his sermons were rather beautiful than solid; yet his way in them was very taking. The king seemed fond of him; and by him, and Turner, the papists hoped, that great progress might be made in gaining, or at least deluding the clergy. It was observed, that all the men in favour among the clergy were unmarried; from whom, they hoped, they might more probably promise themselves a disposition to come over to them *.

The prosecution of the dissenters was carried very high all this year; they were not only proceeded against for going to conventicles, but for not going to church, and for not receiving the sacrament; the laws made against papists with relation to those particulars being now applied to them. Many were excommunicated, and ruined by the prosecutions. The earl of Danby, for all his severity against lord Shaftesbury, for moving in the King's Bench to be bailed, though committed by the lords only for a contempt, yet had been forced to move often for his being let out upon bail. It was certainly a very great hardship that he lay under; for he had been now five years in the Tower: and three parliaments had sat. The two last had not mentioned him; and now a parliament seemed out of sight. Yet, though he offered a very long and learned argument for their bailing him, the judges of the King's Bench, even Saunders himself, were afraid to meddle in it. But Jeffreys was bolder; so he bailed him: and upon the same grounds all the popish lords were also bailed. Oates was prosecuted at the duke's suit for scandalous words: rogue and traitor were very freely bestowed on the duke by him: so 100,000*l.* was given, which shut him up in a perpetual imprisonment, till they saw a fit opportunity to carry matters further against him †. The

* Dr. Peter Gunning was born at Hoo, in Kent, during the year 1613. His education was pursued at the Canterbury free school, and Clare Hall, Cambridge; but being persecuted there as a loyalist, he, with his friend Mr. Barrow, came to Oxford in 1644, and took his degree of M. A. At the Restoration he was instituted regius professor of divinity, and master of St. John's, Cambridge, upon the ejection of Dr. Tuckney, to whom, however, he generously allowed a life annuity. In 1669 he was enthroned bishop of Chichester; and in 1674, bishop of Ely. The doctor was handsome in his person, and graceful, which will perhaps account for the admiration he won from the court ladies, without libelling their understandings. He was deeply versed in the scriptures, so as to be hardly excelled as a textuary; and this, aided by an enlarged acquaintance with ecclesiastical history, made him one of the most powerful opponents that the papists and sectarians of his period had to encounter. One anecdote is worth repeating. An enthusiast had been disseminating widely a prophecy that the end of the world would be within the space of twelvemonths, and his followers were numerous. The man had some landed property, for which Gunning offered him a price equal to two years' purchase; this was refused, and twenty required, which convinced his followers that he did not believe his own prediction.—Wood's Athenæ Oxon.; Masters's Hist. of C. C. C. Cambridge; Salmon's English Bishops, &c.

Dr. Francis Turner was the son of Dr. Thomas Turner, dean of Canterbury, by Margaret, daughter of Sir Francis Windebank, secretary of state to Charles the First. He was a scholar of Winchester, and New College, Oxford. He was successively chaplain to the duke of York, master of St. John's, dean of Windsor, bishop of Rochester, and bishop of Ely. He was an unflinching advocate of the protestant cause, being one of the seven bishops imprisoned by James the Second for petitioning that monarch against his declaration in favour of popery. He appears to have been equally uncompromising in his opinions relative to hereditary monarchy, for he refused to take the oaths required at the revolution, and consequently was deprived of his bishopric. Finally, in 1691, being accused of plotting to restore the Stuart dynasty, he thought it most prudent to leave England, and a proclamation was issued for his apprehension. He was satirized by Marvell in his "Mr. Smirk, or the Divine in mode." His "Vindication of the late archbishop Sancroft, and the rest of the deprived Bishops," is worth notice as a piece of contemporary history. He died in 1700.—Wood's Athenæ Oxon.

Dr. Peter Mews, or Meaux, was of a more accommodating conscience than his contemporary last mentioned. He fought for Charles the First; appeared in arms for James the Second; and finally adhered to William the Third. He was born at Purse Caundell, Dorsetshire, in the year 1619; passed through the discipline of merchant tailor's, and St. John's, Oxford; lived many years in exile during the interregnum; and in the reign of Charles became successively the diocesan of Bath and Wells, and Winchester. Wood says, he was "much beloved and admired for his hospitality, generosity, justice, and frequent preaching." He died in 1706.—Wood's Athenæ Oxon.; Grainger, and Reresby's Memoirs.

Dr. Thomas Ken was the son of a London attorney, but born at Little Berkhampstead, in Hertfordshire, during the year 1635. He was educated at Winchester, Hart Hall, and New College, Oxford. Having duly graduated and held various livings, he in 1679 was appointed chaplain to Mary, princess of Orange. Whilst in this office he compelled one of the prince's favourite officers to marry a lady of her highness's train, whom he had seduced by giving her a contract of marriage. The prince is said to have been greatly offended with Ken, for being so officious. But Charles the Second was not offended at his boldness, when he peremptorily refused Nell Gwyn admittance to his lodgings, when the court was at Winchester. "The king's good sense told him, though the prince of Orange's did not, that if a man is really a Christian, his conduct ought to be uniformly consistent with his character." In 1684, he became bishop of Bath and Wells; in 1688, was committed to the Tower with six other prelates for petitioning the king; and in 1690 was deprived for refusing to take the oaths of allegiance to William the Third. His writings and his life fully entitled him to the epithet he acquired of "good Bishop Ken." Wood describes him as greatly charitable, very devout, and extremely obliging in his demeanour. Queen Anne gave him a pension of 200*l.* a year.—Life prefixed to his works; Wood's Athenæ: Grainger.

† The evidence adduced at this trial shews conclusively the violent temper and infamous character of Oates.—See the State Trials.

duke of Beaufort, lord Peterborough, and some others, brought actions of *scandalum magnatum* against those, who in the time of our great heat had spoken foul things of them: and great damages were given by obsequious and zealous juries. An information of a higher nature was brought against Williams, who, though he was a worthless man, yet was for his zeal chosen speaker of the house of commons in the two last parliaments. He had licensed the printing the votes, which had in them matters of scandal relating to some lords. So an information was brought against him; and he upon it demurred to the jurisdiction of the court. This was driven on purpose by the duke's party, to cut off the thoughts of another parliament; since it was not to be supposed that any house of commons could bear the punishing the speaker for obeying their orders.

Jenkins had now done all the drudgery that the court had occasion for from him; and being capable to serve them in nothing else, he was dismissed from being secretary of state; and Godolphin, one of the commissioners of the treasury, succeeded him. Another commissioner of the treasury, Deering, dying at the same time, the earl of Rochester hoped to have been made lord-treasurer. He had lost much ground with the king; and the whole court hated him, by reason of the stop of all payments, which was chiefly imputed to him. Lord Halifax and lord North joined their interest to bring in two other commissioners upon him, without so much as letting him know of it till it was resolved on. These were Thynd and North. This last was to be rewarded for his service during his shrievalry in London. Lord Rochester engaged both the duke and the lady Portsmouth to divert this, if it was possible. But the king was not to be shaken. So he resolved to quit the treasury. The earl of Radnor was discharged from being lord president of the council, where he had for some years acted a very mean part, in which he had lost the character of a steady cynical Englishman, which he had maintained in the former course of his life. And lord Rochester was made lord president; which being a post superior in rank, but much inferior both in advantage and credit to that he held formerly, drew a jest from lord Halifax that may be worth remembering: he said, he had heard of many kicked down stairs, but never of any that was kicked up stairs before. Godolphin was weary of the drudgery that lay on a secretary of state. He chose rather to be the first commissioner of the treasury: and he was made a baron. The earl of Middleton, son to him that had governed Scotland, was made secretary of state, a man of a generous temper, but without much religion, well learned, of a good judgment, and a lively apprehension *.

If foreign affairs could have awakened the king, the French did enough this summer in order to it. Besides their possessing themselves of Luxemburg, they sent a fleet against Genoa upon no sort of provocation, but because Genoa would not comply with some demands, that were both unjust and unreasonable: the king of France ordered it to be bombarded, hoping that in that confusion he might by landing a few men have made himself easily master of that state. This would very probably have succeeded, if the attempt had been made upon the first consternation they were in, when the bombardment began. But the thing was delayed a day or two; and by that time the Genoese not only recovered themselves out of their first fright, but putting themselves in order, they were animated with that indignation and fury, that they beat off the French, with a courage that was not expected from them. Such an assault, that looked more like the violence of a robber, than the attack of one that would observe forms in his conquests, ought to have provoked all princes, especially such as were powerful at sea, to have joined against a prince, who by these practices was become the common enemy of mankind. But we were now pursuing other designs, from which it was resolved that nothing from beyond sea should divert us.

After the king had kept Tangier about twenty years, and had been at a vast charge in making a mole before it, in which several sets of undertakers had failed indeed in the main

* All these arrangements were effected by lord Halifax, notwithstanding the united interests of the earl of Rochester, the duke of York, and the duchess of Portsmouth, who wished the offices otherwise filled. Lord Halifax, writing to sir John Reresby, thus rejoiced over Rochester's removal from the Treasury. "You may believe I am not at all displeased to see such an adversary removed from the only place that could give him power and advantage; and he bears it with so little philosophy, that, if I had ill-nature enough, he gives me sufficient occasion to triumph."—(Reresby's Memoirs, 185.) At the accession of James the Second, lord Rochester more than retaliated these vexations upon his rival. The king it appears was in much doubt who to appoint as secretary of state in the place of lord Godolphin.—Singer's Clarendon Correspondence, i. 95.

designs, but had succeeded well in the enriching of themselves, and the work was now brought near perfection, which seemed to give us the key of the Mediterranean, he, to deliver himself from that charge, sent lord Dartmouth with a fleet to destroy all the works, and to bring home all our men. The king, when he communicated this to the cabinet council, charged them to be secret. But it was believed that he himself spoke of it to the lord Arlington, and that lord Arlington told it to the Portugal ambassador; for the ambassador took fire upon it, and desired that, if the king was weary of keeping it, he would restore it to his master. And he undertook to pay a great sum for the charge the king had been at all these years that he had it. But the king believed that as the money would never be paid, so the king of Portugal would not be able to maintain that place against the Moors; so that it would fall in their hands, and by that means prove too important to command the Straits. The thing was boldly denied by the ministers, when pressed by the ambassador upon that subject. Lord Dartmouth executed the design as he was ordered. So an end was put to our possessing that place. This was done only to save charge, that the court might hold out the longer without a parliament. So the republic of Genoa, seeing that we would not, and that, without us, the Dutch could not, undertake their protection, were forced to make a very abject compliment to the king of France; if anything could be abject that was necessary to save their country. The doge and some of the senators were sent to Versailles to ask the king pardon, though it was not easy to tell for what: unless it was, because they presumed to resist his invasion. I happened to be at Paris when the doge was there. One saying of his was much repeated. When all the glory of Versailles was set open to him, and the flatterers of the court were admiring everything, he seemed to look at them with a coldness that became a person who was at the head of a free commonwealth; and when he was asked if the things he saw were not very extraordinary, he said, the most extraordinary thing that he saw there was himself.

The affairs of Holland were much broken. The prince of Orange and the town of Amsterdam were in very ill terms by the French management, to which Chudleigh, the English envoy, joined his strength to such a degree of insolence, that he offered personal affronts to the prince, who upon that would see him no more. Yet the prince was not considered enough at our court to get Chudleigh to be recalled upon it. The town of Amsterdam went so far, that a motion was made of setting up the prince of Friezeland as their stadtholder; and he was invited to come to their town in order to it. But the prince of Orange prevented this by coming to a full agreement with that town. So he and his princess were invited thither; and that misunderstanding was removed, or at least laid asleep for that time. The war of Hungary went on with slow success on the emperor's side; he was poor, and his revenue was exhausted, so that he could not press so hard upon the Turks, as he might have done with advantage; for they were in great confusion. The king of Poland had married a French wife, and she had a great ascendancy over him; and not being able to get her family raised in France, she had turned that king to the emperor's interests; so that he had the glory of raising the siege of Vienna. The French saw their error, and were now ready to purchase her at any rate; so that all the rest of that poor king's inglorious life, after that great action at Vienna, was a perpetual going backwards and forwards between the interests of France and Vienna; which depended entirely upon the secret negotiations of the court of France with his queen, as they came to her terms, or as they did not quite comply with them.

The misunderstanding between the court of Rome and France went on still. The pope declared openly for the house of Austria against the Turk; and made great returns of money into Germany. He engaged the Venetians into the alliance. He found also fault with many of the proceedings in France, with relation to the Regale. And now the tables were turned. The Jesuits, who were wont to value themselves on their dependence on the court of Rome, were now wholly in the interest of France; for they resolved to be on the stronger side. And the Jansenists, whom Rome had treated very ill, and who were looked on as the most zealous assertors of the liberties of the Gallican church, were now the men that admired the pope, and declared for him. The persecution of the protestants went on still in France; and no other care was had of them here, but that we sheltered them, and so had great numbers of them coming over to us. A quarrel was depending between the English

and the Dutch East India company. The Dutch had a mind to drive us out of Bantam; for they did not love to see the English settle so near Batavia. So they engaged the old king of Bantam into a war with his son, who was in possession of Bantam; and the son was supported by the English. But the old king drove out his son by the help that the Dutch gave him; and he drove out the English likewise, as having espoused his son's rebellion against him; though we understood that he had resigned the kingdom to his son, but that by the instigation of the Dutch he had now invaded him. It is certain, our court laid up this in their heart, as that upon which they would lay the foundation of a new war with the States, as soon as we should be in a condition to undertake it. The East India company saw this, and that the court pressed them to make public remonstrances upon it, which gave a jealousy of an ill design under it; so they resolved to proceed rather in a very slow negotiation than in anything that might give a handle to a rupture.

I must now mix in somewhat with relation to myself, though it may seem too inconsiderable to be put into a series of matters of such importance. But it is necessary to give some account of that which set me at liberty to go round some parts of Europe, and to stay some years out of England. I preached a lecture at St. Clement's on the Thursdays; but after the lord Russel's death, the king sent an order to Dr. Hascard, then rector of the parish, to discharge me from it. I continued at the Rolls, avoiding very cautiously everything that related to the public; for I abhorred the making the pulpit a stage for venting of passion, or for the serving of interests. There was a parish in London vacant, where the election lay in the inhabitants, and it was probable it would have fallen on me; though London was in so divided a state, that everything was managed by the strength of parties. Yet the king, apprehending the choice might have fallen on me, sent a message to them, to let them know he would take it amiss if they chose me. Old sir Harbottle Grimstone lived still to the great indignation of the court. When the fifth of November, being Gunpowder Treason day, came, in which we had always sermons at the chapel of the Rolls, I begged the master of the Rolls (sir H. Grimstone) to excuse me then from preaching; for that day led one to preach against popery, and it was indecent not to do it. He said he would end his life as he had led it all along, in an open detestation of popery. So, since I saw this could not be avoided, though I had not meddled with any point of popery for above a year together, I resolved, since I did it so seldom, to do it to purpose. I chose for my text these words: "Save me from the lion's mouth, thou hast heard me from the horns of the unicorns*." I made no reflection in my thoughts on the lion and unicorn, as being the two supporters of the king's scutcheon (for I had ever hated all points of that sort, as a profanation of Scriptures); but I showed how well popery might be compared to the lion's mouth, then open to devour us; and I compared our former deliverance from the extremities of danger to the being on the horn of a rhinoceros. And this leading me to the subject of the day, I mentioned that wish of king James the First against any of his posterity, that should endeavour to bring that religion in among us. This was immediately carried to the court. But it only raised more anger against me; for nothing could be made of it. They talked most of the choice of the text, as levelled against the king's coat of arms. That had never been once in my thoughts. Lord-keeper North diverted the king from doing anything on the account of my sermon. And so the matter slept till the end of the term. And then North wrote to the master of the Rolls, that the king considered the chapel of the Rolls as one of his own chapels; and, since he looked on me as a person disaffected to his government, and had for that reason dismissed me from his own service, he therefore required him not to suffer me to serve any longer in that chapel. And thus all my service in the church was now stopped; for upon such a public declaration made against me, it was not fit for any clergyman to make use of my assistance any more. And by these means I was set at liberty by the procurement of my enemies. So that I did not abandon my post either out of fear, or out of any giddiness to ramble about Europe. But being now under such public marks of jealousy, and put out of a capacity of serving God and the church in the way of my function, it seemed a prudent and a decent thing for me to withdraw myself from that fury which I saw was working so strongly, and in so many repeated instances, against me.

* Psalm xxii. 21.

These disgraces from the court were the occasion of my going out of England, which both preserved me from what I had reason to apprehend, when the duke, by the change that happened soon after, might have had it in his power to make me feel all that displeasure which had been growing upon him in a course of so many years against me, and it also put me in a way to do the greatest services I was capable of, both to the interest of religion, and of these nations. So that what was intended as a mischief to me proved my preservation. My employment at the Rolls would have fallen in course within a month, if the court had delayed the putting me from it in such an open manner; for that worthy man, sir Harbottle Grimstone, died about Christmas. Nature sank all at once, he being then eighty-two. He died, as he had lived, with great piety and resignation to the will of God.

There were two famous trials in Michaelmas term. Three women came and deposed against Roswell, a presbyterian preacher, treasonable words that he had delivered at a conventicle. They swore to two or three periods, in which they had agreed so exactly together, that there was not the smallest variation in their depositions. Roswell, on the other hand, made a strong defence. He proved that the witnesses were lewd and infamous persons. He proved that he had always been a loyal man, even in Cromwell's days: that he prayed constantly for the king in his family: and that in his sermons he often insisted on the obligations to loyalty. And as for that sermon in which the witnesses swore he delivered those words, he showed what his text was, which the witnesses could not remember, as they remembered nothing else in his sermon besides the words they had deposed. That text, and his sermon upon it, had no relation to any such matter. Several witnesses who heard the sermon, and some who wrote it in short-hand, declared he said no such words, nor anything to that purpose. He offered his own notes to prove this further; but no regard was had to them. The women could not prove by any circumstance that they were at his meeting, or that any person saw them there on that day. The words they swore against him were so gross, that it was not to be imagined any man in his wits could express himself so, were he ever so wickedly set, before a mixed assembly. It was also urged, that it was highly improbable that three women could remember so long a period upon one single hearing; and that they should all remember it so exactly as to agree in the same deposition. He offered to put the whole upon this issue: he would pronounce a period, as long as that which they had sworn, with his usual tone of voice with which he preached, and then leave it to them to repeat it, if they could. I set down all this defence more particularly, that it may appear what a spirit was in that time, when a verdict could be brought in upon such an evidence, and against such a defence. Jeffreys urged the matter with his ordinary vehemence: he laid it for a foundation, that all preaching at conventicles was treasonable, and that this ought to dispose the jury to believe any evidence whatsoever upon that head, and that here were three positive concurring witnesses. So the jury brought him in guilty. And there was a shameful rejoicing upon this. It was thought now conventicles would be all suppressed by it; since any person that would witness that treasonable words were delivered at them would be believed, how improbable soever it might be. But when the importance of the words came to be examined by men learned in the law, they were found not to be treason by any statute. So Roswell moved for an arrest of judgment, till counsel should be heard to that point, whether the words were treason or not. In Sidney's case, they refused to grant that, unless he would first confess the fact. And though that was much censured, yet it was more doubtful whether counsel ought to be heard after the jury had brought in the verdict. But the king was so put out of countenance with the many stories that were brought him of his witnesses, that the attorney-general had orders to yield to the arrest of judgment; though it had been more to the king's honour to have put an end to the business by a pardon. It was thought a good point gained, which might turn to the advantage of the subject, to allow that a point of law might be argued after conviction. The impudence of this verdict was the more shameful, since, though we had a popish successor in view, here was a precedent made, by which positive witnesses, swearing to anything as said in a sermon, were to be believed against so many probabilities, and so much proof to the contrary; which might have been at another time very fatal to the clergy.

The other trial was of more importance to the court. In Armstrong's pocket, when he

was taken, a letter was found written by Haies, a banker in London, directed to another name, which was believed a feigned one. In it credit was given him upon Haies's correspondent in Holland for money; he was desired not to be too lavish; and he was promised that he should be supplied as he needed it. Here was an abetting of a man outlawed for treason. Much pains was taken on Haies, both by persuasion and threatening, to induce him to discover that whole cabal of men, that, it seemed, joined in a common purse to supply those who had fled beyond sea on the account of the plot. And they hoped to know all Monmouth's friends; and either to have attainted them, or at least to have fined them severely for it. But Haies shewed a fidelity and courage far beyond what could have been expected from such a man: so he was brought to a trial. He made a strong defence. The letter was not exactly like his hand. It was not addressed to Armstrong, but to another person, from whom he perhaps had it. No entry was made of it in his books, nor of any sum paid in upon it. But his main defence was, that a banker examined into no person's concerns; and, therefore, when money or good security was brought him, he gave bills of exchange, or letters of credit, as they were desired. Jeffreys pressed the jury, in his impetuous way, to find Haies guilty of high treason; because, though there was not a witness against Haies, but only presumptions appeared upon the proof, yet, Jeffreys said, it was proved by two witnesses that the letter was found in Armstrong's pocket; and that was sufficient, the rest appearing by circumstances. The little difference between the writing in the letter and his ordinary hand, was said to be only a feint to hide it, which made him the more guilty. He required the jury to bring him in guilty; and said, that the king's life and safety depended upon this trial: so that if they did it not, they exposed the king to a new Rye-plot; with other extravagancies with which his fury prompted him. But a jury of merchants could not be wrought up to this pitch. So he was acquitted, which mortified the court a little; for they had reckoned that now juries were to be only a point of form in a trial, and that they were always to find bills as they were directed.

A trial in a matter of blood came on after this*. A gentleman of a noble family being at a public supper with much company, some hot words passed between him and another gentleman, which raised a sudden quarrel, none but three persons being engaged in it. Swords were drawn, and one was killed outright; but it was not certain by whose hand he was killed. So the other two were both indicted upon it. The proof did not carry it beyond manslaughter, no marks of any precedent malice appearing. Yet the young gentleman was prevailed on to confess the indictment, and to let sentence pass on him for murder: a pardon being promised him if he should do so, and he being threatened with the utmost rigour of the law, if he stood upon his defence. After the sentence had passed, it appeared on what design he had been practised on. It was a rich family, and not well affected to the court; so he was told that he must pay well for his pardon. And it cost him 16,000*l.*: of which the king had the one half, the other half being divided between two ladies that were in great favour. It is a very ill thing for princes to suffer themselves to be prevailed on by importunities to pardon blood which cries for vengeance. Yet an easiness to such importunity is a feebleness of good nature, and so is in itself less criminal. But it is a monstrous perverting of justice, and a destroying the chief end of government, which is the preservation of the people, when their blood is set to sale; and that not as a compensation to the family of the person murdered, but to the prince himself, and to some who are in favour with him upon unworthy accounts; and it was robbery if the gentleman was innocent.

Another thing of a strange nature happened about this time. The earl of Clancarty in Ireland, when he died, had left his lady the guardian of his children. It was one of the noblest and richest families of the Irish nation, which had always been papists; but the lady was a protestant. And she, being afraid to trust the education of her son in Ireland, though in protestant hands, considering the danger he might be in from his kindred of that religion, brought him over to Oxford, and put him into Fell's hands, who was both bishop of Oxford and dean of Christchurch, where she reckoned he would be safe. Lord Clancarty had an uncle, col. Maccarthy, who was in most things, where his religion was not concerned, a man

* This was the indictment of sir H. St. John, afterwards a viscount.—Oxford ed.

of honour. So he, both to pervert his nephew and to make his own court, got the king to write to the bishop of Oxford to let the young lord come up and see the diversions of the town in the Christmas time: to which the bishop did too easily consent. When he came to town, he, being then at the age of consent, was married to one of the lord Sunderland's daughters. And so he broke through all his education, and soon after turned papist. Thus the king suffered himself to be made an instrument in one of the greatest of crimes, the taking an infant out of the hand of a guardian, and marrying him secretly; against which the laws of all nations have taken care to provide very effectually. But this leads me into a further view of the designs at court.

The earl of Rochester grew weary of the insignificant place of president, which procured him neither confidence nor dependence. And, since the government of Ireland was the greatest post next to the treasury, he obtained by the duke's favour to be named lord-lieutenant of Ireland. The king seemed to be so uneasy with him, that he was glad to send him away from the court*. And the king intended to begin in his person a new method in the government of Ireland. Formerly the lords-lieutenants were generals of the army, as well as the governors of the kingdom. Their interest in recommending to posts in the army, and the giving the commissions for them, brought the army into their dependence, and increased the profits of their secretaries. It was now suggested by lord Sunderland that this was too much in one person, and therefore he proposed, that there should be a general of the army, independent on the lord-lieutenant, and who should be a check upon him. When there were but a few troops kept up there, it might be more reasonable to leave them in the lord-lieutenant's hands; but now that an army was kept, it seemed too much to put that, as well as the civil administration of the kingdom, into the power of one man. In this the earl of Sunderland's design was to keep that kingdom in a dependence upon himself. And he told the king, that if he thought that was a good maxim for the government of Ireland, he ought to begin it when a creature of his own was sent thither, who had not such a right to dispute points of that kind with him, as ancient noblemen might pretend to. Lord Rochester was much mortified with this. He said, the chief governor of Ireland could not be answerable for the peace of that kingdom, if the army was not in a dependence on him. Yet little regard was had to all that he could object to this new method; for the king seemed to be the more pleased with it, because it afflicted him so much. The first instance, in which the king intended to begin the immediate dependence of the Irish army on himself, was not so well chosen as to make it generally acceptable: for it was, that colonel Maccarthy was to have a regiment there. He had a regiment in the French service for several years, and was called home upon that appearance that we had put on of engaging with the allies in a war with France in the year 1678. The popish plot had kept the king from employing him for some years, in which the court was in some management with the nation. But now that being at an end, the king intended to employ him upon this acceptable service he had done with relation to his nephew. The king spoke of it to lord Halifax; and he, as he told me, asked the king, if he thought that was to govern according to law. The king answered, he was not tied up by the laws of Ireland as he was by the laws of England. Lord Halifax offered to argue that point with any person that asserted it before him. He said, that army was raised by a protestant parliament, to secure the protestant interest: and would the king give occasion to any to say, that where his hands were not bound up, he would show all the favour he could to the papists? The king answered, he did not trouble himself with what people said, or would say. Lord Halifax replied to this, that it was a just piece of greatness in the king not to mind what his enemies said; but he hoped he would never despise what his friends said, especially when they seemed to have reason on their side; and he wished the king would choose rather to make up Maccarthy's losses for his service in pensions and other favours, than in a way that would raise so much clamour and jealousy. In all this, lord Halifax only offered his advice to the king, upon the king's beginning the discourse with him. Yet the king told it all to Maccarthy, who came and expostulated the matter with

* There are some interesting letters relating to this appointment in Singer's Clarendon Correspondence, i. 99, &c. In the same work there are many particulars relating to the colonel Justine Maccarthy mentioned in the text.

that lord. So he saw by that how little safe a man was, who spoke freely to the king, when he crossed the king's own inclinations.

There was a great expectation in the court of France that at this time the king would declare himself a papist. They did not keep the secret very carefully there; for the archbishop of Rheims had said to myself, that the king was as much theirs as his brother was, only he had not so much conscience. This I reported to lord Halifax to tell the king. Whether he did it, or not, I know not. But it was written over at this time from Paris, that the king of France had said at his levee, or at table, that a great thing would quickly break out in England with relation to religion. The occasion of that was afterwards better known. One of our East India ships had brought over one of the missionaries of Siam, who was a man of a warm imagination, and who talked of his having converted and baptized many thousands in that kingdom. He was well received at court; and the king diverted himself with hearing him relate the adventures and other passages of his travels. Upon this encouragement he desired a private audience, in which, in a very inflamed speech, and with great vehemence, he pressed the king to return to the bosom of the church. The king entertained this civilly, and gave him those answers, that he, not knowing the king's way, took them for such steps and indications as made him conclude the thing was very near done. And upon that he wrote to P. de la Chaise, that they would hear the news of the king's conversion very quickly. The confessor carried the news to the king, who, not doubting it, gave the general hint of that great turn, of which he was then full of hopes.

That priest was directed by some to apply himself to lord Halifax, to try if he could convert him. Lord Halifax told me he was so vain and so weak a man, that none could be converted by him, but such as were weary of their religion and wanted only a pretence to throw it off. Lord Halifax put many questions to him, to which he made such simple answers, as furnished that lord with many very lively sallies upon the conversions so much boasted of, when made by such men. Lord Halifax asked him how it came that, since the king of Siam was so favourable to their religion, they had not converted him? The missionary upon that told him, that the king had said he would not examine into the truth of all that they had told him concerning Jesus Christ. He thought it was not reasonable to forsake the religion of his fathers, unless he saw good grounds to justify the change. And, since they pretended that the author of their religion had left a power of working miracles with his followers, he desired they would apply that to himself. He had a palsy both in his arm and in his leg; and if they could deliver him from that, he promised to them he would change immediately. Upon which the missionary said, that the bishop, who was the head of that mission, was bold enough (*assez hardi* were the priest's own words) to undertake it. A day was set for it. And the bishop, with his priest and some others, came to the king. And after some prayers, the king told them he felt some heat and motion in his arm; but the palsy was more rooted in his thigh; so he desired the bishop would go on, and finish that which was so happily begun. The bishop thought he had ventured enough, and would engage no further, but told the king that, since their God had made one step towards him, he must make the next to God, and at least meet him half way. But the king was obstinate, and would have the miracle finished before he would change. On the other hand, the bishop stood his ground. And so the matter went no further. Upon which lord Halifax said, since the king was such an infidel, they ought to have prayed the palsy into his arm again, as well as they prayed it out; otherwise, here was a miracle lost on an obstinate infidel; and, if the palsy had immediately returned into his arm, that would perhaps have given him a full conviction. This put the missionary into some confusion. And lord Halifax repeated it both to the king and to the duke with that air of contempt, that the duke was highly provoked by it; and the priest appeared at court no more.

There was at this time a new scheme formed, that very probably would have for ever broken the king and the duke. But how it was laid was so great a secret, that I could never penetrate into it. It was laid at lady Portsmouth's. Barillon and lord Sunderland were the chief managers of it. Lord Godolphin was also in it. The duke of Monmouth came over secretly. And though he did not see the king, yet he went back very well pleased with his journey. But he never told his reason to any that I know of. Mr. May of the privy purse

told me, that he was told there was a design to break out, with which he himself would be well pleased; and when it was ripe, he was to be called on to come and manage the king's temper, which no man understood better than he did: for he had been bred about the king ever since he was a child; and by his post he was in the secret of all his amours; but was contrary to his notions in everything else, both with relation to popery, to France, and to arbitrary government. Yet he was so true to the king in that lewd confidence in which he employed him, that the king had charged him never to press him in anything, so as to provoke him. By this means he kept all this while much at a distance; for he would not enter into any discourse with the king on matters of state, till the king began with him. And he told me, he knew by the king's way things were not yet quite ripe, nor he thoroughly fixed on the design. That with which they were to begin was the sending the duke to Scotland. And it was generally believed, that if the two brothers should be once parted, they would never meet again. The king spoke to the duke concerning his going to Scotland, and he answered that there was no occasion for it; upon which the king replied, that either the duke must go, or that he himself would go thither.

The king was observed to be more than ordinarily pensive. And his fondness to lady Portsmouth increased, and broke out in very indecent instances. The grand prior of France, the duke of Vendome's brother, had made some applications to that lady, with which the king was highly offended. It was said, the king came in on a sudden, and saw that which provoked him; so he commanded him immediately to go out of England. Yet after that the king caressed her in the view of all people, which he had never done on any occasion, or to any person formerly. The king was observed to be colder and more reserved to the duke than ordinary. But what was under all this was still a deep secret. Lord Halifax was let into no part of it. He still went on against lord Rochester. He complained in council that there were many razures in the books of the treasury, and that several leaves were cut out of those books; and he moved the king to go to the treasury chamber, that the books might be laid before him, and that he might judge of the matter upon sight. So the king named the next Monday. And it was then expected that the earl of Rochester would have been turned out of all, if not sent to the Tower. And a message was sent to Mr. May, then at Windsor, to desire him to come to court that day, which it was expected would prove a critical day. And it proved to be so indeed, though in a different way.

All this winter the king looked better than he had done for many years. He had a humour in his leg which looked like the beginning of the gout; so that for some weeks he could not walk, as he used to do generally for three or four hours a day in the park, which he did commonly so fast, that as it was really an exercise to himself, so it was a trouble to all about him to hold up with him. In the state the king was in, he, not being able to walk, spent much of his time in his laboratory, and was running a process for the fixing of mercury. On the first of February, being a Sunday, he eat little all day, and came to lady Portsmouth at night, and called for a porringer of spoon-meat. It was made too strong for his stomach, so he eat little of it; and he had an unquiet night. In the morning, one Dr. King, a physician, and a chymist, came, as he had been ordered, to wait on him. All the king's discourse to him was so broken, that he could not understand what he meant. And the doctor concluded he was under some great disorder, either in his mind or in his body. The doctor, amazed at this, went out, and, meeting with the lord Peterborough, he said the king was in a strange humour, for he did not speak one word of sense. Lord Peterborough desired he would go in again to the bedchamber, which he did. And he was scarce come in, when the king, who seemed all the while to be in great confusion, fell down all of a sudden in a fit like an apoplexy; he looked black, and his eyes turned in his head. The physician, who had been formerly an eminent surgeon, said it was impossible to save the king's life, if one minute was lost; he would rather venture on the rigour of the law than leave the king to perish. And so he let him blood. The king came out of that fit; and the physicians approved what Dr. King had done. Upon which the privy council ordered him a thousand pounds, which yet was never paid him. Though the king came out of that fit, yet the effects of it hung still upon him, so that he was much oppressed. And the physicians did very much apprehend the return of another fit, and that it would carry him off; so they

looked on him as a dead man. The bishop of London spoke a little to him, to dispose him to prepare for whatever might be before him; to which the king answered not a word. But that was imputed partly to the bishop's cold way of speaking, and partly to the ill opinion they had of him at court, as too busy in opposition to popery. Sancroft made a very weighty exhortation to him: in which he used a good degree of freedom, which he said was necessary, since he was going to be judged by one who was no respecter of persons. To him the king made no answer neither; nor yet to Ken, though the most in favour with him of all the bishops. Some imputed this to an insensibility, of which too visible an instance appeared, since lady Portsmouth sat in the bed taking care of him as a wife of a husband. Others guessed truer, that it would appear he was of another religion. On Thursday a second fit returned; and then the physicians told the duke that the king was not likely to live a day to an end.

The duke immediately ordered Hudleston, the priest that had a great hand in saving the king at Worcester fight (for which he was excepted out of all severe acts that were made against priests), to be brought to the lodgings under the bed-chamber. And when he was told what was to be done, he was in great confusion, for he had no hostie about him. But he went to another priest that lived in the court, who gave him the pix with an hostie in it. But that poor priest was so frightened, that he ran out of Whitehall in such haste that he struck against a post, and seemed to be in a fit of madness with fear. As soon as Hudleston had prepared everything that was necessary, the duke whispered the king in the ear. Upon that the king ordered that all who were in the bed-chamber should withdraw, except the earls of Bath and Feversham; and the door was double locked. The company was kept out half an hour: only lord Feversham opened the door once, and called for a glass of water. Cardinal Howard told me at Rome, that Hudleston, according to the relation that he sent thither, made the king go through some acts of contrition, and, after such a confession as he could then make, he gave him absolution and the other sacraments. The hostie stuck in his throat, and that was the occasion of calling for a glass of water. He also gave him extreme unction. All must have been performed very superficially, since it was so soon ended. But the king seemed to be at great ease upon it. It was given out, that the king said to Hudleston that he had saved him twice: first his body, and now his soul; and that he asked him if he would have him declare himself to be of their church. But it seems he was prepared for this, and so diverted the king from it; and said, he took it upon him to satisfy the world in that particular. But though by the principles of all religions whatsoever he ought to have obliged him to make open profession of his religion, yet, it seems, the consequences of that were apprehended; for without doubt that poor priest acted by the directions that were given him. The company was suffered to come in. And the king went through the agonies of death with a calm and a constancy that amazed all who were about him, and knew how he had lived. This made some conclude that he had made a will, and that his quiet was the effect of that. Ken applied himself much to the awaking the king's conscience. He spoke with a great elevation, both of thought and expression, like a man inspired, as those who were present told me. He resumed the matter often, and pronounced many short ejaculations and prayers, which affected all that were present, except him that was the most concerned, who seemed to take no notice of him, and made no answers to him. He pressed the king six or seven times to receive the sacrament; but the king always declined it, saying he was very weak. A table with the elements upon it ready to be consecrated was brought into the room, which occasioned a report to be then spread about, that he had received it. Ken pressed him to declare that he desired it, and that he died in the communion of the church of England. To that he answered nothing. Ken asked him if he desired absolution of his sins. It seems the king, if he then thought anything at all, thought that would do him no hurt. So Ken pronounced it over him; for which he was blamed, since the king expressed no sense of sorrow for his past life, nor any purpose of amendment. It was thought to be a prostitution of the peace of the church, to give it to one, who, after a life led as the king's had been, seemed to harden himself against everything that could be said to him. Ken was also censured for another piece of indecency: he presented the duke of Richmond, lady Portsmouth's son, to be blessed by the king. Upon this, some that were in the

room cried out, the king was their common father. And upon that all kneeled down for his blessing, which he gave them. The king suffered much inwardly, and said, he was burnt up within; of which he complained often, but with great decency. He said once, he hoped he should climb up to heaven's gates, which was the only word savouring of religion that he was heard to speak.

He gathered all his strength to speak his last words to the duke, to which every one hearkened with great attention. He expressed his kindness to him, and that he now delivered all over to him with great joy. He recommended lady Portsmouth over and over again to him. He said, he had always loved her, and he loved her now to the last; and besought the duke, in as melting words as he could fetch out, to be very kind to her, and to her son. He recommended his other children to him: and concluded, "Let not poor Nelly starve:" that was Mrs. Gwyn. But he said nothing of the queen, nor any one word of his people, or of his servants: nor did he speak one word of religion, or concerning the payment of his debts, though he left behind him about 90,000 guineas, which he had gathered, either out of the privy purse, or out of the money which was sent him from France, or by other methods, and which he had kept so secretly that no person whatsoever knew any thing of it.

He continued in the agony till Friday at eleven o'clock, being the sixth of February, 1684-5, and then died in the fifty-fourth year of his age, after he had reigned, if we reckon from his father's death, thirty-six years, and eight days; or, if we reckon from his restoration, twenty-four years, eight months, and nine days. There were many very apparent suspicions of his being poisoned; for though the first access looked like an apoplexy, yet it was plain in the progress of it that it was no apoplexy. When his body was opened, the physicians who viewed it were, as it were, led by those who might suspect the truth, to look upon the parts that were certainly sound. But both Lower and Needham, two famous physicians, told me, they plainly discerned two or three blue spots on the outside of the stomach. Needham called twice to have it opened; but the surgeons seemed not to hear him: and when he moved it the second time, he, as he told me, heard Lower say to one that stood next him, "Needham will undo us, calling thus to have the stomach opened, for he may see they will not do it." They were diverted to look to somewhat else: and when they returned to look upon the stomach, it was carried away: so that it was never viewed. Le Fevre, a French physician, told me, he saw a blackness in the shoulder: upon which he made an incision, and saw it was all mortified. Short, another physician, who was a papist, but after a form of his own, did very much suspect foul dealing: and he had talked more freely of it than any of the protestants durst do at that time. But he was not long after taken suddenly ill, upon a large draught of wormwood wine, which he had drank in the house of a popish patient, that lived near the Tower, who had sent for him, of which he died. And, as he said to Lower, Millington, and some other physicians, he believed that he himself was poisoned, for his having spoken so freely of the king's death. The king's body was indecently neglected. Some parts of his inwards, and some pieces of the fat, were left in the water in which they were washed: all which were so carelessly looked after, that the water being poured out at a scullery hole that went to a drain, in the mouth of which a grate lay, these were seen lying on the grate many days after. His funeral was very mean. He did not lie in state: no mournings were given; and the expense of it was not equal to what an ordinary nobleman's funeral will rise to. Many upon this said, that he deserved better from his brother, than to be thus ungratefully treated in ceremonies that are public, and that make an impression on those who see them, and who will make severe observations and inferences upon such omissions. But since I have mentioned the suspicions of poison, as the cause of his death, I must add, that I never heard any lay those suspicions on his brother. But his dying so critically, as it were in the minute in which he seemed to begin a turn of affairs, made it to be generally the more believed, and that the papists had done it, either by the means of some of lady Portsmouth's servants, or, as some fancied, by poisonous snuff; for so many of the small veins of the brain were burst, that the brain was in great disorder, and no judgment could be made concerning it. To this I shall add a very surprising story, that I had in November, 1709, from Mr. Henley, of Hampshire. He told me, that, when the duchess of Portsmouth came over to England in the year 1699, he heard, that she had talked as if king

Charles had been poisoned; which he desiring to have from her own mouth, she gave him this account of it. She was always pressing the king to make both himself and his people easy, and to come to a full agreement with his parliament: and he was come to a final resolution of sending away his brother, and of calling a parliament; which was to be executed the next day after he fell into that fit of which he died. She was put upon the secret, and spoke of it to no person alive, but to her confessor: but the confessor, she believed, told it to some, who, seeing what was to follow, took that wicked course to prevent it. Having this from so worthy a person, as I have set it down without adding the least circumstance to it, I thought it too important not to be mentioned in this history. It discovers both the knavery of confessors, and the practices of papists, so evidently, that there is no need of making any further reflections on it *.

Thus lived and died king Charles the Second. He was the greatest instance in history of the various revolutions of which any one man seemed capable. He was bred up, the first twelve years of his life, with the splendour that became the heir of so great a crown. After that he passed through eighteen years in great inequalities, unhappy in the war, in the loss of his father, and of the crown of England. Scotland did not only receive him, though upon terms hard of digestion, but made an attempt upon England for him, though a feeble one. He lost the battle of Worcester with too much indifference; and then he shewed more care of his person, than became one who had so much at stake. He wandered about England for ten weeks after that, hiding from place to place: but, under all the apprehensions he had then upon him, he shewed a temper so careless, and so much turned to levity, that he was then diverting himself with little household sports, in as unconcerned a manner, as if he had made no loss, and had been in no danger at all. He got at last out of England; but he had been obliged to so many, who had been faithful to him, and careful of him, that he seemed afterwards to resolve to make an equal return to them all; and finding it not easy to reward them all as they deserved, he forgot them all alike. Most princes seem to have this pretty deep in them, and to think that they ought never to remember past services, but that their acceptance of them is a full reward. He, of all in our age, exerted this piece of prerogative in the amplest manner: for he never seemed to charge his memory, or to trouble his thoughts, with the sense of any of the services that had been done him †. While he was abroad at Paris, Cologne, or Brussels, he never seemed to lay any thing to heart. He pursued all his diversions, and irregular pleasures, in a free career; and seemed to be as serene under

* A few corrections and additions are required to the above narrative of the king's death. The duchess of Portsmouth, it seems, was not with him in his last moments, although she was very anxious to be with him, and to have him reconciled to the papal religion. She would have been present if bishop Ken had not prevented her; (Ken's Life by a Relative, 17), and she probably assigned the reason when she told the French ambassador, "I cannot with decency enter the room—the queen is almost constantly there."—(Dalrymple's Memoirs, Append. i. 95 [a].) The earl of Aylesford, who attended the king at the time, thus describes the final scene. "My good king and master falling upon me in his fit, I ordered him to be blooded, and then I went to fetch the duke of York. When we came to the bed-side, we found the queen there; and the imposter (Burnet) says it was the duchess of Portsmouth."—(From an original letter published in the European Magazine, xxvii. 22.) King James, in his own Memoirs, styled "Life of James the Second," i. p. 749, says Charles spoke most tenderly to the queen in his dying hour. This is confirmed by the relation of bishop, Ken just quoted.

The earl of Dartmouth relates that the king was very fond of his buildings at Winchester, designed by sir Christopher Wren, but now converted into barracks, and that the 90,000 guineas mentioned by Burnet, were intended for their completion.—Oxford ed. of this work. The earl's authority was William Chiffins, the king's closet-keeper.

The suspicions of the king being poisoned, are sustained by the statement in the works of Sheffield, duke of Buckingham, ii. 65, and Wellwood's Memoirs.

Mr. Henley, quoted by Burnet, was the father of the lord keeper; he was esteemed a man of honour, as he certainly was talented, wealthy, and mixed in good society. To him Dr. Garth dedicated his "Dispensatory;" and he is the member of parliament who moved for an address to the queen for the promotion of Dr. Hoadley to some ecclesiastical dignity as a recompence for his writings in defence of liberty and the established church. The earl of Hardwicke related that he had heard the duke of Richmond, son of the duchess of Portsmouth, relate the narrative as Burnet tells it.—(Oxford ed. of this work.) The various opinions upon this point are well weighed by Ralphs in his "History," and he impartially concludes that the evidence is so imperfect and conflicting, that "all decision must, and ought to be postponed to the general audit."

† The Pendrells and Mrs. Lane were among the small number of loyalists who were rewarded after the Restoration.—Grainger, vi. 2.

[a] This royal courtesan always behaved very respectfully to the queen, which was never a conduct adopted by her predecessor, the duchess of Cleveland, who, the queen used to say, was a cruel woman.—E. of Dartmouth. Oxford edition of this work.

the loss of a crown, as the greatest philosopher could have been. Nor did he willingly hearken to any of those projects, with which he often complained that his chancellor persecuted him. That in which he seemed most concerned was, to find money for supporting his expense. And it was often said, that, if Cromwell would have compounded the matter, and have given him a good round pension, that he might have been induced to resign his title to him. During his exile he delivered himself so entirely to his pleasures, that he became incapable of application. He spent little of his time in reading, or study, and yet less in thinking: and, in the state his affairs were then in, he accustomed himself to say to every person, and upon all occasions, that which he thought would please most: so that words or promises went very easily from him. And he had so ill an opinion of mankind, that he thought the great art of living and governing was, to manage all things and all persons with a depth of craft and dissimulation. And in that few men in the world could put on the appearances of sincerity better than he could: under which so much artifice was usually hid, that in conclusion he could deceive none, for all were become mistrustful of him. He had great vices, but scarcely any virtues to correct them: he had in him some vices that were less hurtful, which corrected his more hurtful ones. He was, during the active part of life, given up to sloth and lewdness to such a degree, that he hated business, and could not bear the engaging in any thing that gave him much trouble, or put him under any constraint: and though he desired to become absolute, and to overturn both our religion and our laws, yet he would neither run the risk, nor give himself the trouble, which so great a design required. He had an appearance of gentleness in his outward deportment, but he seemed to have no bowels nor tenderness in his nature; and in the end of his life he became cruel. He was apt to forgive all crimes, even blood itself; yet he never forgave any thing that was done against himself, after his first and general act of indemnity, which was to be reckoned as done rather upon maxims of state than inclinations of mercy. He delivered himself up to a most enormous course of vice, without any sort of restraint, even from the consideration of the nearest relations: the most studied extravagancies that way seemed, to the very last, to be much delighted in, and pursued by him. He had the art of making all people grow fond of him at first, by a softness in his whole way of conversation, as he was certainly the best bred man of the age. But when it appeared how little could be built on his promise, they were cured of the fondness that he was apt to raise in them. When he saw young men of quality, who had something more than ordinary in them, he drew them about him, and set himself to corrupt them both in religion and morality; in which he proved so unhappily successful, that he left England much changed at his death from what he had found it at his restoration. He loved to talk over all the stories of his life to every new man that came about him. His stay in Scotland, and the share he had in the war of Paris, in carrying messages from the one side to the other, were his common topics. He went over these in a very graceful manner; but so often, and so copiously, that all those who had been long accustomed to them grew weary of them: and when he entered on those stories they usually withdrew; so that he often began them in a full audience, and before he had done there were not above four or five left about him: which drew a severe jest from Wilmot, earl of Rochester. He said, he wondered to see a man have so good a memory as to repeat the same story without losing the least circumstance, and yet not remember that he had told it to the same persons the very day before. This made him fond of strangers; for they hearkened to all his often repeated stories, and went away as in a rapture at such an uncommon condescension in a king.

His person and temper, his vices as well as his fortunes, resemble the character that we have given us of Tiberius so much, that it were easy to draw the parallel between them. Tiberius's banishment, and his coming afterwards to reign, makes the comparison in that respect come pretty near. His hating of business, and his love of pleasures; his raising of favourites, and trusting them entirely; and his pulling them down, and hating them excessively; his art of covering deep designs, particularly of revenge, with an appearance of softness, brings them so near a likeness, that I did not wonder much to observe the resemblance of their face and person. At Rome I saw one of the last statues made for Tiberius, after he had lost his teeth. But, abating the alteration which that made, it was so like king Charles,

that prince Borghese, and Signior Dominico to whom it belonged, did agree with me in thinking that it looked like a statue made for him.

Few things ever went near his heart. The duke of Gloucester's death seemed to touch him much. But those who knew him best thought it was, because he had lost him by whom only he could have balanced the surviving brother, whom he hated, and yet embroiled all his affairs to preserve the succession to him.

His ill conduct in the first Dutch war, and those terrible calamities of the plague, and fire of London, with that loss and reproach which he suffered by the insult at Chatham, made all people conclude there was a curse upon his government. His throwing the public hatred at that time upon lord Clarendon was both unjust and ungrateful. And when his people had brought him out of all his difficulties upon his entering into the triple alliance, his selling that to France, and his entering on the second Dutch war with as little colour as he had for the first; his beginning it with the attempt on the Dutch Smyrna fleet; the shutting up the Exchequer; and his declaration for toleration, which was a step for the introduction of popery; made such a chain of black actions, flowing from blacker designs, that it amazed those who had known all this to see, with what impudent strains of flattery, addresses were penned during his life, and yet more grossly after his death. His contributing so much to the raising the greatness of France, chiefly at sea, was such an error, that it could not flow from want of thought, or of true sense. Rouvigné told me, he desired that all the methods the French took in the increase and conduct of their naval force might be sent him. And, he said, he seemed to study them with concern and zeal. He shewed what errors they committed, and how they ought to be corrected, as if he had been a viceroy to France, rather than a king that ought to have watched over and prevented the progress they made, as the greatest of all the mischiefs that could happen to him or to his people. They that judged the most favourably of this, thought it was done out of revenge to the Dutch, that, with the assistance of so great a fleet as France could join to his own, he might be able to destroy them. But others put a worse construction on it; and thought, that seeing he could not quite master, or deceive his subjects by his own strength and management, he was willing to help forward the greatness of the French at sea, that by their assistance he might more certainly subdue his own people; according to what was generally believed to have fallen from lord Clifford, that, if the king must be in a dependence, it was better to pay it to a great and generous king, than to five hundred of his own insolent subjects.

No part of his character looked more wicked, as well as meaner, than that he, all the while that he was professing to be of the church of England, expressing both zeal and affection to it, was yet secretly inclined to the church of Rome: thus, mocking God, and deceiving the world with so gross a prevarication. And his not having the honesty or courage to own it at the last; his not shewing any sign of the least remorse for his ill led life, or any tenderness either for his subjects in general, or for the queen and his servants; and his recommending only his mistresses and their children to his brother's care, would have been a strange conclusion to any other's life, but was well enough suited to all the other parts of his.

The two papers found in his strong box concerning religion, and afterwards published by his brother, looked like study and reasoning. Tennison told me, he saw the original in Pepys's hand, to whom king James trusted them for some time. They were interlined in several places. And the interlinings seemed to be written in a hand different from that in which the papers were written. But he was not so well acquainted with the king's hand, as to make any judgment in the matter, whether they were written by him or not. All that knew him, when they read them, did without any sort of doubting conclude, that he never composed them: for he never read the scriptures, nor laid things together, further than to turn them to a jest, or for some lively expression. These papers were probably written either by lord Bristol, or by lord Aubigny, who knew the secret of his religion, and gave him those papers, as abstracts of some discourses they had with him on those heads, to keep him fixed to them. And it is very probable that they, apprehending their danger if any such papers had been found about him written in their hand, might prevail with him to copy them out himself, though his laziness that way made it certainly no easy thing to bring him to give

himself so much trouble. He had talked over a great part of them to myself: so that, as soon I saw them, I remembered his expressions, and perceived that he had made himself master of the argument, as far as those papers could carry him. But the publishing them shewed a want of judgment, or of regard to his memory, in those who did it: for the greatest kindness that could be shewn to his memory, would have been, to let both his papers and himself be forgotten.

Which I should certainly have done, if I had not thought that the laying open of what I knew concerning him and his affairs might be of some use to posterity. And therefore, how ungrateful soever this labour has proved to myself, and how unacceptable soever it may be to some, who are either obliged to remember him gratefully, or by the engagement of parties and interests are under other biasses, yet I have gone through all that I knew relating to his life and reign with that regard to truth, and what I think may be instructive to mankind, which became an impartial writer of history, and one who believes, that he must give an account to God of what he writes, as well as of what he says and does*.

* Another character of Charles the Second, agreeing closely with the preceding, yet in less severe terms, is given by Dr. Wellwood, another contemporary, in his "Memoirs." Both, and indeed all historians of his reign, shew that he was a selfish, witty profligate—totally without any fixed generous principle, and agreeing with his portrait so tersely drawn by the earl of Rochester, when he observed, that "the king never said a silly thing; and never did a wise one."

THE END OF KING CHARLES THE SECOND'S REIGN.

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